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# Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2008

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*Note*

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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# Letter of transmittal

[30 June 2008]

Mr. Secretary-General,

I have the honour to transmit herewith to the General Assembly the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in accordance with General Assembly resolution 62/120 of 17 December 2007. The report covers the work of the Special Committee during 2008.

(*Signed*) R. M. Marty M. **Natalegawa**
Chairman of the Special Committee on the Situation with regard
to the Implementation of the Declaration on the Granting of
Independence to Colonial Countries and Peoples

Ban Ki-moon
Secretary-General of the United Nations
New York

# Chapter I

# Establishment, organization and activities of the Special Committee

## A. Establishment of the Special Committee

1. The establishment and history of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples is covered in details in paragraphs 1 to 8 of its report to the General Assembly at its sixty-second session.[1]

2. At its sixty-second session, after considering the report of the Special Committee,[1] the General Assembly adopted resolution 62/120 of 17 December 2007, in which it approved the report of the Special Committee covering its work during 2007, and requested the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out those actions approved by the General Assembly regarding the Second International Decade in all Territories that have not yet exercised their right to self-determination, including independence. In addition, the Assembly reaffirmed that the United Nations visiting missions to the Territories were an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and called upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate United Nations visiting missions to the Territories, and also called upon the administering Powers that had not participated formally to do so in the Committee's future sessions.

3. In addition to resolution 62/120, the General Assembly adopted 10 other resolutions and a decision relating to specific items considered by the Special Committee in 2007, which are listed below.

### 1. Resolutions, consensus and decisions concerning specific Territories

**Resolutions**

| *Territory* | *Resolution number* | *Date of adoption* |
|---|---|---|
| Falkland Islands (Malvinas) | 58/316[a] | 1 July 2004 |
| Western Sahara | 62/116 | 17 December 2007 |
| New Caledonia | 62/117 | 17 December 2007 |
| Tokelau | 62/121 | 17 December 2007 |

[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23).

| *Territory* | *Resolution number* | *Date of adoption* |
|---|---|---|
| American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, Turks and Caicos Islands, United States Virgin Islands | 62/118 A and B | 17 December 2007 |

[a] In accordance with paragraph 4 (b) of the annex to resolution 58/316 of 1 July 2004, the item should remain on the agenda for consideration upon notification by a Member State.

**Decision**

| *Territory/Title* | *Decision number* | *Date of adoption* |
|---|---|---|
| Gibraltar | 62/523 | 17 December 2007 |

## 2. Resolutions concerning other items

| *Title* | *Resolution number* | *Date of adoption* |
|---|---|---|
| Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations | 62/112 | 17 December 2007 |
| Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories | 62/113 | 17 December 2007 |
| Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations | 62/114 | 17 December 2007 |
| Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories | 62/115 | 17 December 2007 |
| Dissemination of information on decolonization | 62/119 | 17 December 2007 |

## 3. Other resolutions and decisions relevant to the work of the Special Committee

4. Other resolutions and decisions adopted by the General Assembly at its sixty-second session that were relevant to the work of and were taken into consideration by the Special Committee are listed in a note by the Secretary-General on the organization of work of the Special Committee (A/AC.109/2008/L.1).

## 4. Membership of the Special Committee

5. As at 1 January 2008, the Special Committee was composed of the following 27 members: Antigua and Barbuda, Bolivia, Chile, China, the Congo, Côte d'Ivoire,

Cuba, Dominica, Ethiopia, Fiji, Grenada, India, Indonesia, the Islamic Republic of Iran, Iraq, Mali, Papua New Guinea, the Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, the Syrian Arab Republic, Timor-Leste, Tunisia, the United Republic of Tanzania and the Bolivarian Republic of Venezuela.

6. A list of representatives who attended the meetings of the Special Committee in 2008 appears in document A/AC.109/2008/INF/1 and Corr.1.

## B. Opening of the meetings of the Special Committee in 2008 and election of officers

7. The Secretary-General addressed the Special Committee at its 1st meeting, on 28 February 2008. The Chairman made a statement at that meeting. Statements were made by the representatives of Cuba, Papua New Guinea, the Congo, Dominica, Fiji, Saint Lucia, the Syrian Arab Republic and Ethiopia (see A/AC.109/2008/SR.1).

8. At the same meeting, the Special Committee unanimously elected the following officers:

*Chairman*:
R. M. Marty M. Natalegawa (Indonesia)

*Vice-Chairmen*:
Rodrigo Malmierca Díaz (Cuba)
Luc Joseph Okio (Congo)

*Rapporteur*:
Bashar Ja'afari (Syrian Arab Republic)

## C. Organization of work

9. At its 1st meeting, on 28 February, 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman, the Special Committee decided to maintain its Bureau as the only subsidiary body of the Committee. The Special Committee also decided to adopt the suggestions of the Chairman relating to the allocation of items and the procedure for their consideration (see A/AC.109/2008/L.2).

10. Also at the 1st meeting, the Chairman made a statement relating to the organization of work (see A/AC.109/2008/SR.1).

11. At the same meeting, the Chairman also informed the Special Committee that Brazil, Burundi, Lebanon, Malaysia, Thailand and Turkey had requested to participate as observers, in the opening meeting of the Committee. The Committee decided to accede to those requests. The Committee also acceded to the participation in the meeting of delegates of Algeria, Argentina, Morocco and Spain.

12. At the 4th meeting, on 9 June 2008, the Chairman informed the Special Committee that the delegations of Panama and Nicaragua had requested to participate in the Committee's consideration of the item entitled "Special Committee decision of 14 June 2007 concerning Puerto Rico". The Committee decided to accede to the requests.

13. At the 7th meeting, on 12 June 2008, the Chairman informed the Special Committee that the delegations of Argentina, Brazil, Paraguay, Peru and Uruguay had requested to participate in the Committee's consideration of the item entitled "Question of the Falkland Islands (Malvinas)". The Committee decided to accede to the requests.

14. At the 9th meeting, on 18 June 2008, the Chairman informed the Special Committee that the delegation of Spain had expressed the wish to participate in the proceedings of the Special Committee on the question of Gibraltar. The Special Committee decided to accede to that request.

15. At the same meeting, the Chairman informed the Special Committee that the delegations of Algeria, Argentina, Ecuador, Nicaragua, Panama, Peru, Spain, Uruguay as well as the Holy See had expressed the wish to participate in the resumed session of the Special Committee as observers. The Special Committee decided to accede to those requests.

## D. Meetings of the Special Committee and its subsidiary bodies

16. In keeping with its resolve to continue taking all possible measures to rationalize the organization of its work, and with the full and close cooperation of its entire membership, the Special Committee and its subsidiary body were again able to keep to a minimum the number of their formal meetings, as indicated below, by holding, whenever possible, informal meetings and extensive consultations through officers of the Special Committee.

### 1. Special Committee

17. The Special Committee held 11 meetings at Headquarters during 2008, as follows:

(a) First part of the session: 1st meeting, 28 February; 2nd meeting, 15 April.

(b) Second part of the session: 3rd meeting, 27 May; 4th and 5th meetings, 9 June; 6th meeting, 11 June; 7th and 8th meeting, 12 June; 9th meeting, 18 June; 10th meeting, 19 June; 11th meeting, 23 June.

18. During the session, the Special Committee considered in plenary meetings the following questions and adopted decisions thereon, as indicated below:

| *Question* | *Meeting* | *Decision* |
|---|---|---|
| Dissemination of information on decolonization | 3rd | Chap. XII, draft resolution VII |
| Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations | 3rd | Chap. XII, draft resolution I |

| *Question* | *Meeting* | *Decision* |
|---|---|---|
| Question of sending visiting and special missions to Territories | 3rd | Chap. IV, para. 92 |
| Special Committee decision of 14 June 2007 concerning Puerto Rico | 4th, 5th, | Chap. I, para. 28 |
| Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands | 6th | Chap. XII, draft resolution VI |
| Question of Tokelau | 11th | Chap. XII, draft resolution V |
| Falkland Islands (Malvinas) | 7th | Chap. XI, para. 150 |
| Gibraltar | 9th | Chap. VIII, para. 115 |
| Question of New Caledonia | 11th | Chap. XII, draft resolution IV |
| Western Sahara | 6th | Chap. VIII, para. 125 |
| Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations | 8th | Chap. XII, draft resolution III |
| Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories | 8th | Chap. XII, draft resolution II |
| Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples | 8th | Chap. XII, draft resolution VIII |

## 2. Subsidiary bodies

### Bureau

19. At its 1st meeting, on 28 February 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2008/L.2), the Special Committee decided to maintain its Bureau as the only subsidiary body of the Committee. During the period covered by the present report, the Bureau held 10 meetings.

20. At its 10th meeting, on 19 June 2008, following the statement by the Chairman, the Special Committee adopted a report on pending matters related to its work (A/AC.109/2008/L.14), without a vote.

## E. Question of the list of Territories to which the Declaration is applicable

21. At its 1st meeting, on 28 February 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2008/L.2), the Special Committee decided to take the question of the list of Territories to which the Declaration is applicable as appropriate. In taking that decision, the Special Committee recalled that, in its report to the General Assembly at its sixty-second session,[1] it had stated that, subject to any directives that the Assembly might wish to give in that connection, it would continue, as part of its programme of work for 2008, to review the list of Territories to which the Declaration applied. The Special Committee also recalled that, in paragraph 16 of its resolution 62/120, the Assembly had approved the report of the Special Committee, including the programme of work envisaged by the Special Committee for 2008.

22. At its 10th meeting, on 19 June 2008, the Special Committee decided to continue its consideration of the question of the list of Territories to which the Declaration is applicable at its next session, subject to any directives that the General Assembly might give at its sixty-third session (see A/AC.109/2008/L.14, para. 11).

### Special Committee decision of 14 June 2007 concerning Puerto Rico[2]

23. At its 1st meeting, on 28 February 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2008/L.2), the Special Committee decided to take up as appropriate the item entitled "Special Committee decision of 14 June 2007 concerning Puerto Rico" and to consider it at plenary meetings.

24. At the 3rd and 4th meetings, on 27 May and 9 June 2008, the Chairman drew attention to a number of communications received from organizations expressing the wish to be heard on Puerto Rico by the Special Committee. At its 4th and 5th meetings, the Special Committee agreed to accede to those requests and heard the representatives of the organizations concerned at its 4th and 5th meetings (see A/AC.109/2008/SRs. 4 and 5), as follows:

(a) *4th meeting*: Celina Romany Siaca, Puerto Rico Bar Association; Hiram Lozada, American Association of Jurists; Rubén Berrios, Puerto Rican Independence Party; Jan Susler, National Lawyer's Guild International Committee; Emilio Soler Mari, Fundación Acción Democrática Puertorriqueña; Róger Calero, Socialist Workers Party; Anibal Acevedo-Vilá, Governor of Puerto Rico; Eduardo Villanueva Muñoz, Comité Pro Derechos Humanos de Puerto Rico; Pedro Colón Almenas, Movimiento Socialista de Trabajadores; Onix Maldonado López, Estudiantes de Estudios Pre-Jurídicos; Carlos M. Hernandez López, Frente Autonomista; José Castillo, Partido Nacionalista de Puerto Rico; José Garriga Píco, State Senator; Luis Vega Ramos, Puerto Rico House of Representatives; Hector Ivan Santos, PROELA; Carmen Gonzalez, Coalición Puertorriqueña contra la Pena de Muerte; Antonio Cafiero, COPPPAL; Kenneth D. McClintock, President, Puerto Rico Senate;

[1] Ibid., *Sixty- second Session, Supplement No. 23* (A/62/23), chap. I, para. 20.

[2] Ibid., para. 26.

(b) *5th meeting*: Jorge L. Limeres, Comité Pro Independencia de Puerto Rico de Connecticut; Wilma E. Reverón-Collazo, COPRONU; Valentin Rosario, Colectivo Puertorriqueño Pro Independencia; Rogelio Figueroa García, Puertorriqueños Por Puerto Rico; Héctor Pesquera-Sevillano, Movimiento Independentista Nacional Hostosiano; Raquel Delgado, La Nueva Escuela; Fernando J. Martín, Socialist International; Rodrigo Borja, former President of Ecuador; Yamil Misla, Young Professionals for Puerto Rican Democracy; Manuel Rivera, Puertorriqueños Unidos En Accíon; Francisco Velgara, Vieques Support Campaign; Romenio Pereira, Partido dos Trabalhadores; Benjamin Ramos Rosado, ProLibertad Freedom Campaign; Normahiram Perez, FMPR Support Committee; Elliot Monteverde Torres, Hostos Grand Jury Resistance Campaign; José F. Aponte-Hernández, Speaker, Puerto Rico House of Representatives; Nilda Luz Rexach, National Advancement for Puerto Rican Culture; Jóse Adames, Cultural Center Anancaona; Santiago Felix, Ministerio Latino.

25. At the 4th meeting, on 9 June, the representative of Cuba, also on behalf of the Bolivarian Republic of Venezuela, introduced draft resolution A/AC.109/2008/L.7 (see A/AC.109/20087/SR.4).

26. At the 5th meeting, on the same day, following statements by the representatives of Ecuador, Bolivia, Nicaragua, Panama, the Bolivarian Republic of Venezuela, Dominica (on behalf of the Movement of the Non-Aligned Countries), the Syrian Arab Republic, the Islamic Republic of Iran and Saint Vincent and the Grenadines, the Special Committee adopted draft resolution A/AC.109/2008/L.7, without a vote (see A/AC.109/2008/SR.5).

27. At the same meeting, the representative of Cuba made a statement (ibid.).

28. Draft resolution A/AC.109/2008/L.7, adopted by the Special Committee at its 5th meeting, on 9 June 2008, reads as follows:

**Special Committee decision of 14 June 2007 concerning Puerto Rico**

*The Special Committee*,

*Bearing in mind* the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as the resolutions and decisions of the Special Committee concerning Puerto Rico,

*Considering* that the period 1990-2000 was proclaimed by the General Assembly, in its resolution 43/47 of 22 November 1988, as the International Decade for the Eradication of Colonialism, and that by resolution 55/146 of 8 December 2000, the General Assembly declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism,

*Bearing in mind* the 26 resolutions and decisions adopted by the Special Committee on the question of Puerto Rico, contained in the reports of the Special Committee to the General Assembly, in particular those adopted without a vote in recent years,

*Recalling* that 25 July 2008 marks the one hundred and tenth anniversary of the intervention in Puerto Rico by the United States of America,

*Noting with concern* that despite the diverse initiatives taken by the political representatives of Puerto Rico and the United States in recent years, the process of decolonization of Puerto Rico has not yet been set in motion,

*Stressing* the urgent need for the United States to lay the groundwork for the full implementation of General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico,

*Noting* that the inter-agency Task Force on Puerto Rico's Status designated by the President of the United States, which submitted its report on 22 December 2005, affirmed that Puerto Rico is a territory subject to United States congressional authority, and that initiatives concerning Puerto Rico's status have been subsequently presented to the Congress of the United States,

*Also noting* the "Panama Proclamation", adopted by the Latin American and Caribbean Congress for the Independence of Puerto Rico, which was held in Panama from 17 to 19 November 2006 and attended by 33 political parties from 22 countries of the region,

*Further noting* the debate in Puerto Rico on the search for a procedure that would make it possible to launch the process of decolonization of Puerto Rico, and aware of the principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico,

*Aware* that Vieques Island, Puerto Rico, was used for over 60 years by the United States Marines to carry out military exercises, with negative consequences for the health of the population, the environment and the economic and social development of that Puerto Rican municipality,

*Recalling* the decision of the Government of the United States to put an end to the bombings and military exercises on Vieques Island from 1 May 2003, which was the outcome of the prolonged process conducted during years of peaceful protests carried out by the people of Puerto Rico as well as the wide campaign of international solidarity, which has been appropriately reflected in the work and documents of the Special Committee,

*Noting* the consensus existing among the people and the Government of Puerto Rico on the necessity of ensuring the clean-up, decontamination and return to the people of Puerto Rico of all the territory previously used for military exercises and installations, and of using them for the social and economic development of Puerto Rico,

*Also noting* the complaints made by the inhabitants of Vieques Island regarding the continued bombing and the use of open burning for clean-up, which exacerbate the existing health problems and pollution and endanger civilian lives,

*Further noting* the consensus among the people of Puerto Rico in favour of the release of the Puerto Rican political prisoners who have been serving sentences in United States prisons for more than 27 years for cases related to the struggle for Puerto Rico's independence, as well as those serving sentences for cases related to the Vieques Island struggle for peace,

*Noting* the concern of the people of Puerto Rico regarding violent actions, including repression and intimidation, against Puerto Rican independence fighters in

Puerto Rico, including those that have recently come to light through documents declassified by federal agencies of the United States,

*Also noting* that in the final document of the Fourteenth Summit of the Movement of Non-Aligned Countries, held in Havana from 11 to 16 September 2006, and at other meetings of the Movement, the right of the people of Puerto Rico to self-determination and independence is reaffirmed on the basis of General Assembly resolution 1514 (XV); the Government of the United States is urged to assume its responsibility to expedite a process that will allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence; the Government of the United States is urged to return the territory and occupied installations on Vieques Island and at the Roosevelt Roads Naval Station to the Puerto Rican people, who constitute a Latin American and Caribbean nation; and the General Assembly is urged to actively consider the question of Puerto Rico in all its aspects,

*Having heard* statements and testimonies representative of various viewpoints among the people of Puerto Rico and their social institutions,

*Having considered* the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico,[3]

1. *Reaffirms* the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the applicability of the fundamental principles of that resolution to the question of Puerto Rico;

2. *Reiterates* that the Puerto Rican people constitute a Latin American and Caribbean nation that has its own unequivocal national identity;

3. *Calls upon* the Government of the United States of America to assume its responsibility to expedite a process that will allow the Puerto Rican people fully to exercise their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico;

4. *Notes* the broad support of eminent persons, governments and political forces in Latin America and the Caribbean for the independence of Puerto Rico;

5. *Also notes* the debate in Puerto Rico on the implementation of a mechanism that would ensure the full participation of representatives of all viewpoints prevailing in Puerto Rico, aware of the principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico;

6. *Expresses serious concern* regarding actions carried out against Puerto Rican independence fighters, and encourages the investigation of those actions with the necessary rigor and with the cooperation of the relevant authorities;

7. *Requests* the General Assembly to consider the question of Puerto Rico comprehensively in all its aspects;

8. *Urges* the Government of the United States, in line with the need to guarantee the Puerto Rican people their legitimate right to self-determination and

[3] A/AC.109/2008/L.3.

the protection of their human rights, to complete the return of occupied land and installations on Vieques Island and in Ceiba to the people of Puerto Rico; respect fundamental human rights, such as the right to health and economic development; and expedite and cover the costs of the process of cleaning up and decontaminating the impact areas previously used in military exercises through means that do not continue to aggravate the serious consequences of its military activity for the health of the inhabitants of Vieques Island and the environment;

9. *Requests* the President of the United States of America to release all Puerto Rican political prisoners serving sentences in United States prisons for over 27 years for cases relating to the struggle for the independence of Puerto Rico, as well as those serving sentences for cases relating to the Vieques Island peace struggle;

10. *Takes note with satisfaction* of the report prepared by the Rapporteur of the Special Committee,[4] in compliance with its resolution of 14 June 2007;

11. *Requests* the Rapporteur to report to the Special Committee in 2009 on the implementation of the present resolution;

12. *Decides* to keep the question of Puerto Rico under continuous review.

## F. Consideration of other matters

29. At its 1st meeting, on 28 February 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2008/L.2), the Special Committee decided to consider in plenary meetings the questions of compliance of Member States with the Declaration and other relevant resolutions on decolonization, holding a series of meetings away from Headquarters, pattern of conferences and other questions mentioned in paragraphs 30 to 40 below.

### 1. Compliance of Member States with the Declaration and other resolutions on decolonization

30. With reference to a decision listed in paragraph 29 above, the Special Committee took it into account in its consideration of specific items.

### 2. Question of holding a series of meetings away from Headquarters

31. Having regard to its programme of work for 2008, the Special Committee, at its 10th meeting, on 19 June 2008, considered the question of holding meetings away from Headquarters, taking into account the provisions of paragraph 6 of General Assembly resolution 1654 (XVI) and paragraph 3 (9) of resolution 2621 (XXV), by which the Assembly authorized the Special Committee to meet elsewhere than at United Nations Headquarters whenever and wherever such meetings might be required for the effective discharge of its functions. At the same meeting, the Special Committee decided that it would consider accepting such invitations as might be received in 2009 and that, when particulars of such meetings had become known, it would request the Secretary-General to seek the necessary budgetary provision in accordance with established procedure (see A/AC.109/2008/L.14, paras. 2 and 3).

### 3. Pattern of conferences

32. Further recalling the measures it had taken theretofore in that connection, the Special Committee decided to continue to exercise its initiatives in the effective utilization of the limited conference resources and the further reduction of its documentation requirements by circulating communications and information material, as far as possible, in the form of informal notes and aides-memoires in the original language of submission, thus curtailing documentation requirements and accruing considerable savings for the Organization. A list of the documents issued by the Special Committee in 2008 is contained in the annex to the present chapter.

33. At its 10th meeting, on 19 June 2008, the Special Committee considered the item and noted that, during the year, it had closely followed the guidelines set forth in the resolutions of the General Assembly on the pattern of conferences, in particular resolution 62/225 of 22 December 2007. By organizing its programme of work effectively and holding extensive consultations, the Committee had striven to keep the number of its formal meetings to a minimum. The Special Committee decided, taking into account its probable workload for 2009, to consider holding its meetings in accordance with the following schedule: (a) *Plenary*: February/March (as required); June/July (up to 30 meetings: 6-8 meetings a week); (b) *Bureau* (February-July: 20 meetings). It was understood that that programme would not preclude the holding of any ad hoc meetings that might be warranted and that the Special Committee might, in early 2009, review the schedule of meetings on the basis of any new developments. The Special Committee decided, subject to any directives given by the General Assembly, to strive, while fulfilling its mandate, to keep its meetings to a minimum (see A/AC.109/2008/L.14, paras. 5 and 7).

### 4. Control and limitation of documentation

34. At its 10th meeting, on 19 June 2008, the Special Committee considered the question of the control and limitation of documentation and noted that, during the year, it had taken further measures to control and limit its documentation in compliance with the relevant resolutions of the General Assembly, in particular resolutions 34/50 of 23 November 1979, 39/68 D of 13 December 1984, 51/211 B of 18 December 1996 and 62/225. The Special Committee noted that, in General Assembly resolution 50/206 B of 23 December 1995, the Assembly had approved the recommendation of the Special Committee to replace its verbatim records with summary records. Having reviewed the need for such records, the Special Committee decided to maintain its summary records (see A/AC.109/2008/L.14, paras. 8-10).

### 5. Cooperation and participation of the administering Powers in the work of the Special Committee

35. In compliance with the provisions of the relevant resolutions of the General Assembly, the delegation of New Zealand, as an administering Power, continued to participate, in accordance with established procedure, in the related work of the Special Committee (see chap. X). The delegation of France also participated in the related work of the Committee on the question of New Caledonia.

36. The delegations of the United Kingdom of Great Britain and Northern Ireland and the United States of America did not formally participate in the work of the Special Committee.[4]

37. In a related context, the Special Committee, at its 3rd meeting, on 27 May 2008, adopted a resolution on the question of sending visiting missions to Territories. By that resolution, the Special Committee noted with appreciation that, at the invitation of the Government of New Zealand, two missions to observe the referendums in Tokelau were dispatched, in February 2006 and October 2007. It also recalled with satisfaction the cooperation of the United Kingdom, as an administering Power, in facilitating the Special Mission to the Turks and Caicos Islands in April 2006 at the request of the territorial Government. It called upon the administering Powers to cooperate or continue to cooperate with the United Nations by facilitating United Nations visiting missions in the Territories under their administration, in accordance with the relevant resolutions of the United Nations on decolonization (see chap. IV, para. 90).

## 6. Participation of representatives of Non-Self-Governing Territories in the work of the Special Committee

38. At its 10th meeting, on 19 June 2008, the Special Committee considered the question of the participation of representatives of Non-Self-Governing Territories in its work and decided that the participation of representatives of Non-Self-Governing Territories in the work of the Special Committee at Headquarters, as recommended in the plan of action for the Second International Decade for the Eradication of Colonialism (A/56/61, annex), should continue to be facilitated through the reimbursement by the United Nations of the expenses relating to their participation under the terms of the guidelines amended by the Committee and approved by the General Assembly at its forty-eighth session (see A/AC.109/L.1791, annex, and A/AC.109/L.1804). In that regard, the Special Committee decided to consider the guidelines at its plenary meetings with a view to amending them further, where appropriate (see A/AC.109/2008/L.14, para. 14).

## 7. Week of Solidarity with the Peoples of Non-Self-Governing Territories

39. The question of the Week of Solidarity with the Peoples of Non-Self-Governing Territories was considered by the Special Committee at its 10th meeting, on 19 June 2008, in connection with its consideration of the report of the Pacific regional seminar (see chap. II).

## 8. Representation at seminars, meetings and conferences of intergovernmental and other organizations

40. At its 10th meeting, on 19 June 2008, the Special Committee decided to recommend to the General Assembly that the Committee continue to be represented at seminars, meetings and conferences organized by United Nations bodies and other intergovernmental and non-governmental organizations active in the field of decolonization. In keeping with its decision of 28 February 2008, the Committee would authorize its Chairman to hold consultations, as appropriate, concerning its

[4] For the explanation of their non-participation, see documents A/47/86, A/42/651, annex, and *Official Records of the General Assembly, Forty-first Session, Supplement No. 23* (A/41/23), chap. I, paras. 76 and 77.

participation in those meetings, as well as the level of representation, when accepting invitations. In accordance with established practice and on the basis of the principle of rotation, the Chairman would hold consultations with the Bureau members, who, in turn, would consult with the members of the Committee from their respective regional groups. The Special Committee also decided that the Chairman would also hold consultations with that member of the Committee whose regional group was not represented in the Bureau. It also decided to recommend that the General Assembly make appropriate budgetary provisions to cover such activities in 2009 (see A/AC.109/2008/L.14, para. 4).

### 9. Report of the Special Committee to the General Assembly

41. At its 1st meeting, on 28 February 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2008/L.2), and in accordance with paragraph 31 of General Assembly decision 34/401 on the rationalization of the procedures and organization of the Assembly and based on practice initiated by the Committee in 2005, the Committee decided to continue to formulate its decisions in General Assembly form and to submit them to the Assembly at its sixty-third session.

42. At its 11th meeting, on 23 June 2008, the Special Committee, on the proposal of the Chairman, authorized the Rapporteur to submit directly to the Assembly the report in accordance with established practice and procedure.

### 10. Other questions

43. At its 1st meeting, on 28 February 2008, by adopting the suggestions relating to the organization of its work put forward by the Chairman (see A/AC.109/2008/L.2), the Special Committee decided, in its examination of specific Territories, to take into account the relevant provisions of General Assembly resolutions and a decision listed in the note by the Secretary-General on the organization of work of the Special Committee (A/AC.109/2008/L.1, para. 11). These resolutions and a decision were taken into account during the consideration of specific Territories and other items in plenary meetings.

## G. Relations with United Nations bodies, intergovernmental and non-governmental organizations

44. In connection with the Special Committee's consideration of the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations, and in accordance with paragraph 20 of General Assembly resolution 62/114 of 17 December 2008 relating to the item, consultations were held between the President of the Economic and Social Council and the Chairman of the Special Committee to consider appropriate measures for coordination of the policies and activities of the specialized agencies in implementing the relevant resolutions of the General Assembly (see E/2008/47). An account of the Special Committee's consideration of the question is set out in chapter VI of the present report.

45. During the year, the Special Committee adopted decisions relating to the extension of assistance to the peoples of Non-Self-Governing Territories. Those

decisions are reflected in recommendations of the Special Committee to the General Assembly (see chap. XII).

46. The Special Committee took into account the relevant resolutions and decisions of the Human Rights Council at its sixth to the eighth sessions and continued to follow the work of the Committee on the Elimination of Racial Discrimination.

47. Bearing in mind its previous decisions to maintain contact with the Movement of Non-Aligned Countries, the African Union, the Caribbean Community and the Pacific Islands Forum on a regular basis in order to assist in the effective discharge of its mandate, the Special Committee, as in previous years, closely followed the work of these intergovernmental organizations.

48. Having regard to the relevant provisions of General Assembly resolutions 62/119 and 62/120, the Special Committee continued to follow closely the activities of non-governmental organizations having a special interest in the field of decolonization (see A/AC.109/2008/18) and the present report (para. 24 above). The related decisions of the Special Committee are listed in chapter XII of the present report.

49. The Special Committee continued to monitor related developments in the Territories, having regard to the relevant provisions of article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex).

## H. Review of work

50. The reform processes initiated by the Special Committee in 1991 continued to be actively pursued in 2008. The Special Committee's recommendation to the General Assembly at its sixty-third session on 12 Territories was consolidated into two resolutions (see chap. XII, draft resolutions V and VI).

51. The Special Committee also considered and submitted recommendations on information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations, the question of sending visiting and special missions to Territories, implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations and economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories.

52. As noted in chapter II of the present report, the Special Committee held a Pacific regional seminar in Bandung, Indonesia, from 14 to 16 May 2008 on the priorities for the remainder of the Decade.

53. In accordance with the mandate entrusted to it by the General Assembly, the Special Committee continued to seek suitable means for the implementation of resolution 1514 (XV) in all Territories to which the Declaration is applicable and formulated specific proposals and recommendations in that regard.

54. On the question of the publicity to be given to the work of the United Nations in the field of decolonization, the Special Committee adopted a resolution on the dissemination of information on decolonization, which it recommends to the

General Assembly for action at its sixty-third session (see chap. XII, draft resolution VII).

55. The Special Committee also continued its review of the list of Territories to which the Declaration is applicable. With regard to its decision of 14 June 2007 concerning Puerto Rico, the Special Committee heard a number of representatives of organizations concerned and adopted a resolution on the matter, which is set out in paragraph 27 of the present chapter.

56. During the period under review, the Special Committee continued the critical review of its work and its programme of future work by holding a number of informal meetings. The Special Committee was able during the year to reduce the number of its formal meetings and to minimize the wastage resulting from the cancellation of scheduled meetings.

## I. Future work

57. In accordance with the mandate entrusted to it by the General Assembly since 1961 and subject to further directives from the Assembly at its sixty-third session, the Special Committee intends to continue during 2009 to pursue its efforts in bringing a speedy end to colonialism, in accordance with Article 73 of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the plan of action contained in the annex to document A/56/61.

58. In order to discharge its responsibilities, the Special Committee will keep the situation in the Non-Self-Governing Territories under continuous review, examining the impact of developments concerning each Territory on their political advancement, reviewing the compliance by Member States, particularly the administering Powers, with the relevant decisions and resolutions of the United Nations and seeking the input of representatives of the Territories, non-governmental organizations from the Territories and experts inviting them to attend its meetings and regional seminars and also by visiting the Territories to gather first-hand information.

59. In 2009, the Special Committee intends to continue and intensify its dialogue and cooperation with the administering Powers for the purpose of furthering the cause of decolonization through the development of programmes of work for the decolonization of specific Territories in agreement with the administering Powers and with the participation of representatives of the Territories at every stage of discussion. The members of the Special Committee are particularly encouraged by the excellent cooperation of New Zealand and Tokelau at every stage of the negotiations including the referendums in the exercise of the right of self-determination by the people of Tokelau held in October 2006 and November 2007.

60. The Special Committee will continue to conduct the regional seminars, for the purpose of assessing, receiving and disseminating information on the situation in the Territories, in order to facilitate the implementation of its mandate. In this connection, the Special Committee will hold a seminar in the Caribbean region in 2009.

61. The Special Committee will continue to seek the cooperation of the administering Powers in facilitating United Nations visiting and special missions to the Territories under their administration. The Special Committee continues to attach the utmost importance to visiting missions as a means of collecting adequate and first-hand information on conditions in the Territories and on the wishes and aspirations of the peoples concerning their future status. Moreover, visiting missions are important in the context of furthering modalities and action plans for decolonization and observing acts of self-determination. The Special Committee will explore the possibility of combining visiting missions to certain Territories with regional seminars in order to optimize its available resources.

62. The Special Committee will continue to use opportunities such as the regional seminars and visiting and special missions to disseminate information on its activities and on the Territories in an effort to mobilize world public opinion to support and assist the people of the Territories in bringing about a speedy end to colonialism, and to develop, together with the Department of Public Information of the Secretariat, programmes aimed at Territories that have requested information about self-determination options.

63. The Special Committee will continue to pay attention to the specific problems of the remaining Non-Self-Governing Territories. The Special Committee is aware that, in addition to general problems facing developing countries, those Territories also suffer handicaps arising from the interplay of such factors as size, remoteness, geographical dispersion, vulnerability to natural disasters, fragility of ecosystems, constraints in transport and communications, great distances from market centres, a highly limited internal market, lack of natural resources and vulnerability to drug trafficking, money-laundering and other illegal activities. The Special Committee will continue to recommend measures to facilitate a sustained and balanced growth of the fragile economies of those Territories and increased assistance in the development of all the sectors of their economies.

64. It is the intention of the Special Committee to continue to follow closely the implementation of the Declaration by the specialized agencies and the international and regional institutions associated with the United Nations. The Special Committee will continue the practice of holding consultations between its Chairman and the President of the Economic and Social Council with the objective to facilitate the effective implementation of the decisions of the various United Nations bodies and to foster cooperation between the specialized agencies and the regional organizations in providing assistance for the Non-Self-Governing Territories in a given region.

65. The Special Committee will also strive to follow up on the General Assembly's request that the participation of the Non-Self-Governing Territories in the work of relevant meetings and conferences of the agencies and organizations be facilitated so that the Territories can benefit from the related activities of the specialized agencies and other organizations of the United Nations system.

66. The Special Committee intends to take into account economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories and to continue its cooperation with interested States to ensure that the interests of the peoples of those Territories are protected.

67. In the light of the provisions of the General Assembly resolutions concerning the pattern of conferences, and taking into consideration its experience in previous years as well as its probable workload for 2009, the Special Committee has approved a tentative programme of meetings for 2009, which it commends to the Assembly for approval.

68. The Special Committee suggests that, when the General Assembly, at its sixty-third session, examines the question of the implementation of the Declaration, it may wish to take into account the various recommendations of the Special Committee that are reflected in the relevant chapters of the present report and, in particular, to endorse the proposals outlined in the present section in order to enable the Special Committee to carry out the tasks it envisages for 2009. The Special Committee recommends that the Assembly renew its appeal to the administering Powers to take all necessary steps for the implementation of the Declaration and the relevant United Nations resolutions, in accordance with the freely expressed wishes of the peoples of the Territories concerned. In that connection, the Special Committee recommends that the Assembly request those administering Powers that have not yet done so to become involved with the work of the Special Committee in the discharge of its mandate and, in particular, to participate actively in the work relating to the Territories under their respective administrations. The Special Committee also recommends that the Assembly continue to invite the administering Powers to allow representatives of the Territories concerned to participate in the discussions in the Special Political and Decolonization Committee (Fourth Committee) and the Special Committee on the items relating to their respective Territories. Furthermore, the Assembly might also wish to renew its appeal to all States, the specialized agencies and other organizations of the United Nations system to comply with the various requests addressed to them by the Assembly in their relevant resolutions.

69. The Special Committee recommends that, in approving the programme of work outlined above, the General Assembly make adequate provision to cover the activities that the Special Committee envisages for 2009. In that regard, the Special Committee notes that the programme budget for the biennium 2008-2009 includes resources to provide for the programme of work of the Special Committee for 2009, based on the level of activities approved for 2008, without prejudice to the decisions to be taken by the Assembly at its sixty-third session. On that basis, the Special Committee understands that, should any additional provisions be required over and above those included in the proposed programme budget for the biennium 2008-2009, proposals for supplementary requirements would be made to the General Assembly for its approval. Finally, the Special Committee expresses the hope that the Secretary-General will continue to provide it with all the facilities and personnel necessary for the discharge of its mandate, taking into account the various tasks assigned to it by the Assembly as well as those arising from decisions taken by it during the current year.

## J. Conclusion of the 2008 session

70. At its 11th meeting, on 23 June 2008, the Chairman made a statement on the occasion of the closing of the 2008 session of the Special Committee (see A/AC.109/2008/SR.11).

## Annex

### List of documents of the Special Committee, 2008

| *Document symbol* | *Title* | *Date* |
|---|---|---|
| **Documents issued in the general series** | | |
| A/AC.109/2008/INF/1 and Corr.1 | List of delegations | 23 June 2008 |
| A/AC.109/2008/1 | Tokelau (working paper) | 1 February 2008 |
| A/AC.109/2008/2 | British Virgin Islands (working paper) | 19 February 2008 |
| A/AC.109/2008/3 | American Samoa (working paper) | 20 February 2008 |
| A/AC.109/2008/4 | Pitcairn (working paper) | 15 February 2008 |
| A/AC.109/2008/5 | Second International Decade for the Eradication of Colonialism: Pacific regional seminar on the Second International Decade for the Eradication of Colonialism: priorities for the remainder of the Decade, to be held in Bandung, Indonesia, from 14 to 16 June 2008: guidelines and rules of procedure | 19 March 2008 |
| A/AC.109/2008/6 | Saint Helena (working paper) | 22 February 2008 |
| A/AC.109/2008/7 | Anguilla (working paper) | 26 February 2008 |
| A/AC.109/2008/8 | Gibraltar (working paper) | 20 March 2008 |
| A/AC.109/2008/9 | New Caledonia (working paper) | 5 March 2008 |
| A/AC.109/2008/10 and Corr.1 | Bermuda (working paper) | 3 March 2008<br>14 April 2008 |
| A/AC.109/2008/11 | Cayman Islands (working paper) | 29 February 2008 |
| A/AC.109/2008/12 | Turks and Caicos Islands (working paper) | 10 March 2008 |
| A/AC.109/2008/13 | Falkland Islands (Malvinas) (working paper) | 12 March 2008 |
| A/AC.109/2008/14 | Western Sahara (working paper) | 14 March 2008 |
| A/AC.109/2008/15 | Guam (working paper) | 19 March 2008 |
| A/AC.109/2008/16 | Montserrat (working paper) | 20 March 2008 |
| A/AC.109/2008/17 | United States Virgin Islands (working paper) | 20 March 2008 |
| A/AC.109/2008/18 | Dissemination of information on decolonization during the period from April 2007 to February 2008: report of the Secretary-General | 24 February 2008 |

| *Document symbol* | *Title* | *Date* |
|---|---|---|
| **Documents issued in the limited series** | | |
| A/AC.109/2008/L.1 | Organization of work: relevant resolutions and decisions of the General Assembly: note by the Secretary-General | 17 December 2007 |
| A/AC.109/2008/L.2 | Organization of work: note by the Chairman | 17 December 2007 |
| A/AC.109/2008/L.3 | Special Committee decision of 14 June 2007 concerning Puerto Rico: report prepared by the Rapporteur of the Special Committee, Bashar Ja'afari (Syrian Arab Republic) | 24 March 2008 |
| A/AC.109/2008/L.4 | Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations: draft resolution submitted by the Chairman | 23 May 2008 |
| A/AC.109/2008/L.5 | Dissemination of information on decolonization: draft resolution submitted by the Chairman | 23 May 2008 |
| A/AC.109/2008/L.6 | Question of sending visiting and special missions to Territories: draft resolution submitted by the Chairman | 23 May 2008 |
| A/AC.109/2008/L.7 | Special Committee decision of 14 June 2007 concerning Puerto Rico: draft resolution submitted by Cuba and Venezuela (Bolivarian Republic of) | 2 June 2008 |
| A/AC.109/2008/L.8 | Question of the Falkland Islands (Malvinas): draft resolution submitted by Bolivia, Chile, Cuba and Venezuela (Bolivarian Republic of) | 3 June 2008 |
| A/AC.109/2008/L.9 | Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands: consolidated draft resolution submitted by the Chairman | 4 June 2008 |
| A/AC.109/2008/L.10 | Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: draft resolution submitted by the Chairman | 3 June 2008 |
| A/AC.109/2008/L.11 | Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations: draft resolution submitted by the Chairman | 3 June 2008 |

| *Document symbol* | *Title* | *Date* |
|---|---|---|
| A/AC.109/2008/L.12 | Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories: draft resolution submitted by the Chairman | 3 June 2008 |
| A/AC.109/2008/L.13 | Question of New Caledonia: draft resolution submitted by Fiji and Papua New Guinea | 19 June 2008 |
| A/AC.109/2008/L.14 | Report of the Special Committee | 12 June 2008 |
| A/AC.109/2008/L.15 | Question of Tokelau: draft resolution submitted by Fiji and Papua New Guinea | 6 June 2008 |

# Chapter II

## Second International Decade for the Eradication of Colonialism

71. At its 1st meeting, on 28 February 2008, the Special Committee, by approving the recommendations of its Chairman on the organization of work of the Special Committee for the year (see A/AC.109/2008/L.2), decided to allocate to plenary meetings of the Special Committee, as appropriate, the question of the Second International Decade for the Eradication of Colonialism.

72. The Special Committee considered the questions of the Second International Decade for the Eradication of Colonialism and the Pacific regional seminar on priorities for the remainder of the Decade at its 1st, 2nd and 10th meetings, on 28 February, 15 April and 19 June 2008.

73. The Special Committee had before it the guidelines and rules of procedure for the Pacific regional seminar (A/AC.109/2008/5).

74. At its 2nd meeting, on 15 April, following a statement by the Chairman, the Special Committee approved the composition of the official delegation of the Special Committee to the Pacific regional seminar (see A/AC.109/2008/SR.2).

75. The Special Committee also decided to invite United Nations organs, agencies and institutions to apprise the Secretary-General of actions they had taken in implementation of General Assembly resolution 55/146 and to submit a report to the Assembly at its sixty-fourth session, subject to any directives that the Assembly might give at its sixty-third session in that regard (see A/AC.109/2008/L.14, para. 13).

76. At its 8th meeting, on 12 June, the Special Committee adopted, without a vote, draft resolution A/AC.109/2008/L.10, entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", submitted by the Chairman.

77. At its 10th meeting, on 19 June 2008, the Chairman of the Special Committee drew attention to the draft report of the Pacific regional seminar, which had been circulated to members of the Special Committee as a conference room paper (A/AC.109/2008/CRP.2) (see A/AC.109/2008/SR.10).

78. At the same meeting, the Committee adopted the draft report of the Pacific regional seminar and decided to annex it to its report to the General Assembly. The full text of the report of the Pacific regional seminar is contained in the annex to the present chapter.

79. The text of draft resolution A/AC.109/2008/L.10 adopted by the Special Committee at its 8th meeting, on 12 June 2008, appears in the present report, in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution VIII).

## Annex

**Pacific regional seminar on the implementation of the Second International Decade for the Eradication of Colonialism: priorities for the remainder of the Decade, held in Bandung, Indonesia, from 14 to 16 May 2008**

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# I. Introduction

1. In its resolution 55/146 of 8 December 2000, the General Assembly declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and called upon Member States to redouble their efforts to implement the plan of action set out in the annex to the report of the Secretary-General (A/46/634/Rev.1 and Corr.1), updated where necessary, to serve as the plan of action for the Second Decade. The report of the Secretary-General on the Second International Decade for the Eradication of Colonialism (A/56/61) contains an updated plan of action.

2. In its resolution 62/120 of 17 December 2007, the General Assembly approved the programme of work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples envisaged for 2008, including the holding of a seminar in the Pacific region to be organized by the Special Committee and attended by the representatives of all the Non-Self-Governing Territories.

3. As stated in the guidelines and rules of procedure for the seminar (A/AC.109/2008/5), the purpose of the seminar is to review the progress achieved in the implementation of the plan of action of the Second International Decade for the Eradication of Colonialism, in order to define priority action for the remaining years of the Decade. The seminar will also assess the situation in the Non-Self-Governing Territories, in particular their constitutional evolution towards self-government and self-determination, with a view to developing, in cooperation with the administering Powers and the representatives of the Non-Self-Governing Territories, a constructive programme of work on a case-by-case basis for the decolonization of the Non-Self-Governing Territories. The seminar will also identify areas in which the United Nations system and the international community at large could enhance programmes of assistance to the Territories within an integral framework ensuring the political and sustainable socio-economic development of the Territories concerned.

4. The seminar's discussions will assist the Special Committee in making a realistic analysis and evaluation of the situation in the Non-Self-Governing Territories. The seminar will give pre-eminence to a broad range of views of the peoples of those Territories. It will also secure the participation of organizations and institutions that are actively involved in the political, economic and social development of the Territories.

5. The contributions of the participants served as a basis for the conclusions and recommendations of the seminar, which will be carefully studied by the Special Committee with a view to submitting proposals to the General Assembly concerning the fulfilment of the objectives of the Second International Decade for the Eradication of Colonialism.

# II. Organization of the seminar

6. The seminar was held in Bandung, Indonesia, from 14 to 16 May 2008.

7. The seminar consisted of four meetings, in which representatives of States Members of the United Nations, Non-Self-Governing Territories, administering Powers, non-governmental, regional and other organizations and experts took part.

The list of participants is given in appendix I. The seminar was organized to encourage an open and frank exchange of views.

8. The seminar was conducted by R. M. Marty M. Natalegawa, Permanent Representative of Indonesia to the United Nations and Chairman of the Special Committee, with the participation of the following members of the Special Committee: Chile, China, Congo, Cuba, Dominica, Ethiopia, Indonesia (host country), Russian Federation, Syrian Arab Republic and Timor-Leste. New Zealand participated, as administering Power for Tokelau. France and the United States of America, administering Powers, participated in the seminar as observers. Argentina, Brunei Darussalam, Hungary, Malaysia, Morocco, the Netherlands, Saudi Arabia, Spain and the Sudan also participated.

9. At the 1st meeting, on 14 May 2008, the following members of the Special Committee were appointed Vice-Chairmen of the seminar: Elias Melaku Feleke (Ethiopia) and Denis Paletskiy (Russian Federation). Bashar Ja'afari (Syrian Arab Republic) was appointed Chairman of the drafting group, which was composed of the representatives of all members of the Special Committee attending the seminar: Chile, China, Congo, Cuba, Dominica, Ethiopia, Indonesia, Russian Federation, Syrian Arab Republic and Timor-Leste. Jorge Leon Cruz (Cuba) was appointed Rapporteur of the seminar.

10. The agenda of the seminar was as follows:

1. Role of the Special Committee in facilitating the decolonization of the Non-Self-Governing Territories within the framework of the Second International Decade for the Eradication of Colonialism:
   (a) Priority areas for the remainder of the Decade;
   (b) Strengthening cooperation with administering Powers;
   (c) Participation of the people of Non-Self-Governing Territories.
2. Perspectives of the Special Committee, administering Powers and territorial Governments, as well as views of experts on priorities for the remainder of the Second International Decade for the Eradication of Colonialism:
   (a) In the Pacific region, in particular Tokelau;
   (b) In the Caribbean region;
   (c) In other Non-Self-Governing Territories.
3. Follow-up to the 2007 Caribbean regional seminar:
   (a) Perspective of the Special Committee;
   (b) Perspective of administering Powers;
   (c) Perspective of Non-Self-Governing Territories;
   (d) Views of experts.
4. Role of the United Nations system in providing developmental assistance to Non-Self-Governing Territories: presentations by the United Nations Development Programme and others.

5. Way forward: recommendations on advancing the decolonization process for the remainder of the Second International Decade for the Eradication of Colonialism.

## III. Overview of the seminar

### A. Proceedings of the seminar

11. On 14 May, R. M. Marty M. Natalegawa (Indonesia) opened the seminar in his capacity as the Chairman.

12. The Secretary-General of the Department of Foreign Affairs and the Assistant to the Governor of West Java of the Republic of Indonesia addressed the seminar.

13. At the same meeting, the Chief of the Decolonization Unit of the Department of Political Affairs of the Secretariat, read out a message from the Secretary-General (see appendix II).

14. On 16 May, at the fourth meeting, the Chairman made a concluding statement.

15. At the same meeting, the participants adopted by acclamation a resolution expressing appreciation to the Government and the people of Indonesia (see appendix III).

### B. Statements and discussions[a]

16. At the 1st meeting, on 14 May, the Chairman made a statement. Statements were made by the representatives of Morocco, Dominica and Timor-Leste. Presentations were made by the experts Anak Agung Banyu Perwita (Indonesia) and Kedrick Pickering (British Virgin Islands) and by the representatives of the non-governmental organizations Fuetsan Famalao'an (Guam) and the University of the United States Virgin Islands (United States Virgin Islands).

17. At the 2nd meeting, on the same day, the seminar held a discussion on the role of the United Nations system in providing developmental assistance to Non-Self-Governing Territories with the participation of the representative of Timor-Leste, expert Tony Angelo (New Zealand), the observer from Gibraltar and the Chief of Decolonization Unit of the Department of Political Affairs.

18. At the 3rd meeting, on 15 May, the seminar heard statements by the representatives of Frente Polisario, Argentina, Spain and, Morocco. Representatives of Frente Polisario and Morocco made further statements. The observer from Gibraltar made a statement.

19. At the same meeting, the seminar heard statements by Peter Fa'afia (on behalf of Ulu-o-Tokelau) and the representative of New Zealand (on behalf of the Administrator of Tokelau). Expert Tony Angelo made a presentation on post-referendum developments in Tokelau. The representatives of the Sudan and Chile made statements.

20. At the 4th meeting, on 16 May, the participants considered the draft report of the seminar presented by the Rapporteur of the seminar, Jorge Leon Cruz (Cuba).

[a] All statements and discussion papers of the seminar are available from the United Nations decolonization website, http://www.un.org/Depts/dpi/decolonization.

# IV. Conclusions and recommendations

21. At the 4th meeting, on 16 May 2008, the Chairman presented to the participants the conclusions and recommendations outlined below.

## A. Role of the Special Committee in facilitating the decolonization of the Non-Self-Governing Territories within the framework of the Second International Decade for the Eradication of Colonialism

### 1. Eradicating colonialism, the role of the Special Committee and the plan of action

22. The Seminar reconfirmed that the United Nations has a valid ongoing role in the process of decolonization. The mandate of the Special Committee is a major programme of the United Nations. United Nations support should be provided, until all outstanding decolonization issues are resolved in a satisfactory manner.

23. The participants reaffirmed the role of the Special Committee as the primary vehicle for fostering the process of decolonization and for expediting the implementation of the plan of action to move towards achieving the goals of the Second International Decade for the Eradication of Colonialism, in accordance with resolution 55/146, as well as for monitoring the situation in the Territories.

24. The participants underlined the importance for the Special Committee to develop, as a matter of urgency, a proactive and focused approach, in fulfilment of the goal of decolonization vis-à-vis the Non-Self-Governing Territories on the United Nations list.

25. The seminar recommended that the Special Committee continue to monitor the evolution of the Non-Self-Governing Territories towards achieving self-determination, in accordance with the relevant United Nations resolutions and decisions.

26. The Special Committee should include, as appropriate, the participation of the representatives of the Non-Self-Governing Territories, on a case-by-case basis, in the consultations between the Special Committee and the administering Powers.

27. The implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, set out in General Assembly resolution 1514 (XV) of 14 December 1960, is not complete so long as there remain Non-Self-Governing Territories that have yet to exercise their right to self-determination, in accordance with the relevant resolutions, including General Assembly and Special Committee resolutions on special and particular colonial situations. The inalienable rights of the people of the Non-Self-Governing Territories must be guaranteed by the United Nations and the Special Committee in conformity with the Charter of the United Nations and resolutions 1514 (XV) and 1541 (XV) of 15 December 1960.

28. As long as the administering Powers exercise unilateral authority to make laws and other regulations affecting the Non-Self-Governing Territories without their consent, pursuant to such methods as legislation, orders in council and other methods, a Territory should not be considered self-governing.

29. In the process of decolonization, and where there are no disputes over sovereignty, there is no alternative to the principle of self-determination, which is also a fundamental human right. All available options for self-determination are valid as long as they are in accordance with the freely expressed wishes of the

peoples concerned and in conformity with the clearly defined principles contained in the Charter of the United Nations, and as enunciated in resolutions 1514 (XV) and 1541 (XV), and in other relevant resolutions and decisions.

30. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

31. It has previously been noted that, in the development of work programmes for individual Territories, the participation of representatives of the Non-Self-Governing Territories in which there is no dispute over sovereignty should be ensured. It has also been pointed out that any work programme should include an information and education campaign for the peoples of those Territories, visiting missions of the Special Committee and a consultation process acceptable to the peoples in the Territories leading to the exercise of their right to self-determination in accordance with relevant United Nations resolutions.

32. In order to enhance the exchange of information, the Special Committee, in consultation with the administering Power and the territorial Governments, will continue to explore modalities to help facilitate the Special Committee's working-level contacts with elected territorial Governments, in those Territories where there is no dispute over sovereignty.

33. The Special Committee should continue to develop a mechanism to systematically review, on an annual basis, the implementation of the specific recommendations on decolonization, with a focus on implementing the mandate as set out in Assembly resolutions and the plan of action of the Second International Decade for the Eradication of Colonialism.

34. In view of the variety of circumstances of individual Non-Self-Governing Territories, some participants noted the need to consider exploring new thinking on decolonization relevant to the case of each Non-Self-Governing Territory. It was agreed that the Special Committee should also continue to explore the array of legitimate transitions to self-determination, provided that the people of a Territory have the opportunity to make a fully informed choice, in accordance with relevant United Nations resolutions and decisions.

35. In cases where a particular Non-Self-Governing Territory is clearly in favour of building upon the basis of its existing situation, the Special Committee might wish to consider steps that it could take, bearing in mind the Territory's interests in that regard; the United Nations goal of decolonization could thus be achieved in a relatively straightforward fashion.

36. The participants noted with concern the military installations and activities of the administering Powers in the Non-Self-Governing Territories, which run counter to the rights and interests of the people concerned and which create serious health and environmental hazards.

### 2. Public awareness and information campaigns

37. Continued examination of the spectrum of options for self-determination by all parties concerned and dissemination of relevant information among the peoples of the Non-Self-Governing Territories are important elements in achieving the goals of

the Declaration on the Granting of Independence to Colonial Countries and Peoples and of the plan of action.

38. In that regard, the seminar underscored the importance of education, awareness-raising, and continued dialogue on self-determination and decolonization issues aimed at and involving the people of the Non-Self-Governing Territories.

39. The participants reaffirmed the need for the Special Committee, in collaboration with the Department of Public Information, to actively embark on a public awareness campaign aimed at fostering an understanding among the people of the Territories of the options for self-determination included in the relevant United Nations resolutions on decolonization, especially within the context of developing programmes of work for specific Territories. The programme should disseminate information with the aim of raising public awareness in the Territories in order to heighten people's understanding of the legitimate political status options available to them in accordance with the relevant United Nations resolutions, including the 1960 Declaration.

40. In that connection, the participants encouraged the Department of Public Information to continue to disseminate relevant information, including to the media, non-governmental organizations and civic groups, using the tools of communication available to it and making use of such opportunities as regional seminars and visiting missions. United Nations information centres can assist in this process. The participants welcomed the brochure issued in March 2007, prepared by the Department and the Decolonization Unit entitled "What the United Nations can do to assist the Non-Self-Governing Territories", which is also available on the United Nations decolonization website.

41. The participants encouraged the United Nations Secretariat to continue and intensify its efforts to facilitate the advance dissemination of information on world summits, conferences and special sessions of the General Assembly to Non-Self-Governing Territories that are granted observer status at these events.

42. The participants reiterated that electoral assistance for a Non-Self-Governing Territory, in which there is no dispute over sovereignty, regarding any act of self-determination can be made available at the request of any administering Power and the respective Territory.

### 3. Visiting and special missions

43. Participants stressed that the Special Committee's visiting and special missions represent key factors in raising public awareness of decolonization issues and possible options available for self-determination. The positive impact of such missions was also noted. Moreover, visiting and special missions provide an opportunity to assess the situation in those Territories, and to ascertain the wishes and aspirations of the peoples thereof regarding their future status.

44. In addition, the participants noted the interest expressed at the seminar by representatives of Non-Self-Governing Territories in such visiting and special missions. They urged that such missions should be undertaken as soon as possible, and called upon the administering Powers to cooperate in their facilitation, where there are no sovereignty disputes. They reiterated importance of such visiting missions in conjunction with innovative, more cost-effective approaches to

ascertaining a representative range of public opinion in select Non-Self-Governing Territories.

### 4. Regional seminars

45. As activities of the plan of action of the Second International Decade for the Eradication of Colonialism, regional seminars serve as an effective forum for focused discussion on matters of concern to the Non-Self-Governing Territories and afford opportunities for representatives of the peoples of the Territories to present their views and recommendations to the Special Committee. The administering Powers should facilitate the participation of the elected representatives of the Territories in the seminars in conformity with the relevant resolutions and decisions of the United Nations.

46. There was general agreement on the need to fully facilitate the attendance of representatives from the Non-Self-Governing Territories at future seminars. The participants also urged the Special Committee to engage proactively with the Non-Self-Governing Territories, where there is no dispute over sovereignty, in consultation with the administering Powers.

47. The regional nature of the seminars, alternating between the Pacific and the Caribbean, remains a crucial element in their success. The participants encouraged the Committee, whenever possible, to hold these events in the Non-Self-Governing Territories themselves.

48. The seminar took note of a previous decision of the Special Committee to coordinate its annual seminars with other relevant activities to be conducted in the Non-Self-Governing Territories, including visiting and special missions, as appropriate, in order to better utilize its resources.

49. The Special Committee should adopt the report of the regional seminar held in Bandung, Indonesia, from 14 to 16 May 2008, and include it in its report to the General Assembly, as it did with the reports of the previous regional seminars. The participants also recommended that the Special Committee integrate, to the extent possible, the recommendations of the regional seminars into its relevant resolutions on decolonization, as those recommendations are important expressions of the will of the people of the territories.

50. The participants reiterated the importance of the conclusions and recommendations at the previous regional seminars, held in Vanuatu (1990), Barbados (1990), Grenada (1992, 2007), Papua New Guinea (1993, 1996 and 2004), Trinidad and Tobago (1995), Antigua and Barbuda (1997), Fiji (1998, 2002 and 2006), Saint Lucia (1999), the Marshall Islands (2000), Cuba (2001), Anguilla (2003) and Saint Vincent and the Grenadines (2005).

### 5. Role of the administering Powers and other Member States of the United Nations

51. The seminar considered cooperation from the administering Powers to be imperative if progress was to be achieved during the remaining two years of the Second International Decade for the Eradication of Colonialism. Following the example set by New Zealand, other administering Powers were called upon to cooperate fully with the Special Committee in pursuing a proactive approach in order to achieve concrete results in fulfilment of the Special Committee's mandate

under the Declaration on the Granting of Independence to Colonial Countries and Peoples, as set out in General Assembly resolution 1514 (XV).

52. The participants welcomed the presence at the seminar of the representatives of France, New Zealand and the United States.

53. The seminar took note of the paper circulated to the seminar by the United Kingdom on its "relationship with its overseas territories". Participants expressed disappointment that the United Kingdom was not present at the seminar, and disagreed with the view on the role of the Special Committee contained in that paper.

54. The seminar once again recommended that the Special Committee, the administering Powers and the Non-Self-Governing Territories engage in constructive discussions and innovative ways to expedite the implementation of the goals of the Second International Decade and its plan of action for the eradication of colonialism as set out in General Assembly resolution 55/146 of 8 December 2000. Participants nonetheless reiterated that progress could only be achieved with the active cooperation of the administering Powers. The Special Committee will consider whether it might be useful to reiterate the request for the use of the Secretary-General's "good offices" in this process.

55. The participants drew the attention of the administering Powers to the three options listed in resolution 1541 (XV) (annex), in which the Assembly stated that a Non-Self-Governing Territory could be said to have reached a full measure of self-government, as envisaged in the Charter, by: (a) emergence as a sovereign independent State; (b) free association with an independent State; or (c) integration with an independent State.

56. Participants suggested the applicability of resolution 2625 (XXV) of 24 October 1970, containing the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, which states, inter alia, that "The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by people constitute modes of implementing the right of self-determination by that people". The Declaration also states that: "Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country".

57. The Special Committee expressed its appreciation to Argentina, Brunei Darussalam, Hungary, Malaysia, Morocco, Namibia, the Netherlands, Saudi Arabia, Spain and the Sudan for their participation in the seminar, and encouraged other Member States which were not members of the Special Committee to continue to cooperate with the Special Committee.

## B. Perspectives of administering Powers, representatives of Territories and experts in the Pacific region

58. The seminar regretted that only one representative from Non-Self-Governing Territories in the Pacific region had been able to participate. Nonetheless, the contribution to the seminar of a number of experts and non-governmental organizations, including from Non-Self-Governing Territories in the region, was welcomed.

59. Participants were appreciative of the statement made by New Zealand, as administering Power of Tokelau, as well as of New Zealand's continuing commitment not only to support Tokelau's right to decide its future path, but also in ensuring that, whatever Tokelau's status, the needs of the people of Tokelau are met.

60. Participants took note of the statement by an expert from the Parahyangan Catholic University of Indonesia, highlighting the responsibility of the administering Powers to address the economic and social challenges facing Non-Self-Governing Territories, to aid the Non-Self-Governing Territories in their overall development as they moved towards self-determination, and to help to build capacity in that regard. The seminar also shared the concern that, as many Non-Self-Governing Territories were small-island developing territories, many of them faced particularly serious difficulties concerning sustainable development.

61. Participants took note of the presentation by the representative of the Guam non-governmental organization Fuetsan Famalao'an (Strength of Women). They noted with concern the military installations and activities of the administering Power in Guam, which run counter to the rights and interests of the people concerned. The participants called upon the administering Power to consult fully with the Chamorro people in Guam to ensure the protection of rights and interests of all the people concerned.

62. The seminar noted the statement made on behalf of Tokelau and welcomed its continuing interest in the furtherance of self-determination, while taking into account the outcome of the most recent October 2007 referendum. Particular note was taken of the plea issued by the Government of the Territory with regard to the pressing issue of global warming and climate change as a development concern.

63. The seminar took note of the "lessons learned" provided by the expert and Constitutional and Legal Advisor for Tokelau, following the October 2007 referendum on self-determination. The participants welcomed possible models applicable to other Non-Self-Governing Territories pursuing self-determination, such as Tokelau's approach towards developing self-government and its free association option.

## C. Views of the representatives of other Non-Self-Governing Territories

64. The seminar also welcomed the presence of representatives from other Non-Self-Governing Territories.

65. Participants, in considering the question of the Falkland Islands (Malvinas), reiterated that the Special Committee should continue to encourage the resumption of negotiations between the Governments of Argentina and the United Kingdom with the aim of finding a lasting solution to the sovereignty dispute, taking into account the interests of the population of the Territory, in accordance with the relevant resolutions and decisions of the United Nations.

66. With regard to the situation in Gibraltar, the participants welcomed the continuing work of the Forum of Dialogue on Gibraltar, involving Spain, the United Kingdom and the territorial Government.

67. With regard to Western Sahara, the participants recalled the mandate of the Special Committee towards self-determination for the people of Western Sahara. They supported Security Council resolutions 1754 (2007), 1783 (2007) and 1813

(2008) and the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context. They called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring implementation of the above-mentioned resolutions and the success of the negotiations. They reiterated the call made at previous regional seminars on the parties to continue such negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

## D. Follow-up to the 2007 Caribbean regional seminar

68. The seminar appreciated the information provided by an expert who was a participant in the British Virgin Islands' Constitutional Review Exercise. Participants welcomed the experiences shared by the expert in the spirit of assisting other Non-Self-Governing Territories in their own constitutional review exercises.

69. The participants appreciated the statement by a representative from the University of the United States Virgin Islands, who provided an update on the Territory's ongoing Constitutional Convention.

## E. Role of the United Nations system in providing assistance to the Non-Self-Governing Territories

70. In the seminar's discussions, participants reiterated the importance of the role of UNDP in providing assistance to the Non-Self-Governing Territories. They expressed appreciation for the outline provided by Tony Angelo on assistance provided by UNDP to Tokelau over the years running up to its two self-determination referendums, and expressed the hope that other Non-Self-Governing Territories might benefit from this example. Participants acknowledged this cooperation and assistance from the United Nations system and regional organizations.

71. The seminar encouraged UNDP to further explore ways to assist with financial resources for the development of self-government structures and preparations for self-determination.

72. Non-Self-Governing Territories should be given access to relevant United Nations programmes in the economic and social sphere, including those emanating from the plans of action of United Nations major summits and conferences, in furtherance of capacity-building and consistent with the necessary preparation for the attainment of a full measure of self-government.

73. The seminar stressed that the wider United Nations system should continue to explore ways to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories and seek concrete proposals for the full implementation of the relevant resolutions by the specialized agencies, as detailed in General Assembly resolution 62/114 of 17 December 2007.

74. The vulnerability of small island Non-Self-Governing Territories was recognized and continues to be of major concern.

75. The participants requested that the Special Committee encourage Non-Self-Governing Territories to develop closer contacts with relevant regional organizations.

# Appendix I

## List of participants

### Members of the Special Committee

| | |
|---|---|
| Indonesia | R.M. Marty M. Natalegawa (Chairman)*<br>Kristiarto S. Legowo<br>Desra Percaya<br>Arief Havas Oegroseno<br>Triyogo Jatmiko<br>Hari Prabowo |
| China | Tang Yinlong |
| Chile | José Antonio Cousiño |
| Congo (Vice-Chairman) | Raphaël Maboundou* |
| Cuba (Vice-Chairman) | Jorge Leon Cruz* |
| Dominica | Crispin Gregoire* |
| Ethiopia | Elias Melaku Feleke* |
| Russian Federation | Denis Paletskiy* |
| Syrian Arab Republic | Bashar Ja'afari* (Rapporteur) |
| Timor-Leste | Hernani Coelho da Silva |

### States Members of the United Nations

| | |
|---|---|
| Argentina | Gerardo Abel Diaz Bartolomé<br>Ana Marcela Pastorino |
| Brunei Darussalam | Abu Bakar Donglah |
| Hungary | Mihaly Illes |
| Malaysia | Raja Reza |
| Morocco | Ahmed Amaziane<br>Mbarka Zerouali<br>Hajbouha Zoubeir<br>Sidi Khaddad el Moussaoui<br>Chakib Zeroual<br>Abdelaziz Haouaria<br>Boucham Abdelkarim |
| Namibia | Tji-Tjai J. Uanivi |
| Netherlands | Willem Olde Kalter |
| Saudi Arabia | Ahmed Ali Kattouah |

* Member of the official delegation of the Special Committee.

| | |
|---|---|
| Sudan | Sulieman Mohamed Mustafa |
| Spain | Alberto Virella |

**Administering Powers**

| | |
|---|---|
| New Zealand | Joe Ballard |
| France (observer) | Jean-Yves Roux |
| United States of America (observer) | Joseph Novak<br>Kus Wahyuni |

**Non-Self-Governing Territories**

| | |
|---|---|
| Tokelau | Peter Fa'afiu |
| Western Sahara | Fadel Kamal Mohammed |

**Organizations of the United Nations system**

| | |
|---|---|
| United Nations Development Programme | Abdurrahman Syebubakar |

**Non-governmental organizations**

| | |
|---|---|
| Fuetsan Famalao'an (Chamorro for Strength of Women, Guam) | Hope A. Cristobal |
| University of the United States Virgin Islands (United States Virgin Islands) | Tregenza A. Roach |

**Experts**

Kedrick Pickering (British Virgin Islands)

Anak Agung Banyu Perwita (Indonesia)

Tony Angelo (New Zealand)

**Observer**

Joseph Bossano (Gibraltar)

## Appendix II

### Message from the Secretary-General

I am pleased to send greetings to all who have gathered in Bandung, Indonesia, for the Pacific Regional Seminar on decolonization. Let me thank the Government of Indonesia for hosting this event, and for convening its opening session in the same hall where the historic Asian-African Conference took place in 1955.

Decolonization is one of the great success stories of the United Nations. But as the Second International Decade for the Eradication of Colonialism draws to a close, 16 remaining Non-Self-Governing Territories highlight the fact that this monumental task is as yet incomplete. It falls to the United Nations, and to all of us as members of the international community, to help bring this process to a successful conclusion.

This year's Seminar focuses on the Pacific-based territories and on priorities for the remainder of the Second International Decade. It provides an opportunity to evaluate our progress under the United Nations decolonization mandate. It enables the General Assembly's Special Committee on Decolonization, the territorial Governments and the administering Powers to listen to one another, to exchange ideas and to hear the views of participating experts and NGOs. More broadly, this forum can facilitate open dialogue, produce fresh ideas to help move the decolonization process forward, and help raise the awareness of the international community on this important issue.

Colonialism has no place in today's world. I therefore urge all administering Powers to actively engage with the United Nations in discharging the United Nations mandate on decolonization. And I encourage all parties to continue working together to complete the decolonization process in every one of the remaining 16 Non-Self-Governing Territories.

In that spirit, please accept my best wishes for a successful Seminar.

## Appendix III

### Resolution expressing appreciation to the Government and the people of Indonesia

*The participants in the Pacific regional seminar*,

*Having met* from 14 to 16 May 2008 in Bandung, Indonesia, for the purpose of determining priorities for the remainder of the Second International Decade for the Eradication of Colonialism,

*Recalling* the historical 1955 Asian-African Conference in Bandung, which served as a focal point of the whole process of decolonization,

*Having heard* the important statements by the Secretary-General of the Department of Foreign Affairs and the Assistant to the Governor of West Java of the Republic of Indonesia,

*Taking note* of the important statements by the representatives of the Non-Self-Governing Territories,

*Express their profound gratitude* to the Government and the people of Indonesia for providing the Special Committee with the necessary facilities for its seminar, for the outstanding contribution they have made to the success of the seminar and, in particular, for the very generous and kind hospitality and the warm and cordial reception accorded to the participants throughout their stay in Bandung.

# Chapter III
## Dissemination of information on decolonization

80. The Special Committee considered the question of dissemination of information on decolonization at its 3rd meeting, on 27 May 2008.

81. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, resolution 62/119 on the dissemination of information on decolonization and resolution 62/120 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

82. The Special Committee held consultations with representatives of the Department of Public Information and of the Department of Political Affairs of the Secretariat at its 3rd meeting, on 27 May (see A/AC.109/2008/SR.3).

83. At the same meeting, the Chairman of the Special Committee drew attention to the report of the Secretary-General on the dissemination of information on decolonization (A/AC.109/2008/18) and a draft resolution on the item submitted by the Chairman (A/AC.109/2008/L.5).

84. At the same meeting also, the Special Committee decided to waive the 24-hour rule under rule 120 of the rules of procedure of the General Assembly and to consider draft resolution A/AC.109/2008/L.5 and adopted it, without a vote.

85. The text of draft resolution A/AC.109/2008/L.5, adopted by the Special Committee at its 3rd meeting, on 27 May 2008, appears in the present report in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution VII).

# Chapter IV
# Question of sending visiting missions to Territories

86. The Special Committee considered the question of sending visiting missions to Territories at its 3rd meeting, on 27 May 2008.

87. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, the pertinent provisions of resolution 62/120 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and resolutions 62/118 A and B and 62/121 of 17 December 2007 relating to specific Territories.

88. In addition, the Special Committee considered the specific Territories referred to it, taking into account the relevant provisions of General Assembly resolutions 62/119 and 62/120, as well as previous decisions of the Special Committee relating to the question.

89. At the 3rd meeting, on 27 May 2008, the Chairman drew attention to a draft resolution on the item (A/AC.109/2008/L.6) (see A/AC.109/2008/SR.3).

90. At the same meeting, the Special Committee decided to waive the 24-hour rule under rule 120 of the rules of procedure of the General Assembly and to consider draft resolution A/AC.109/2008/L.6 and adopted it, without a vote.

91. By adopting at its 6th meeting, on 11 June 2008, a consolidated resolution on 11 small Non-Self-Governing Territories (A/AC.109/2008/L.9) and at its 11th meeting, on 23 June 2008, a resolution on Tokelau (A/AC.109/2008/L.15), the Special Committee endorsed a number of conclusions and recommendations concerning the sending of visiting and special missions to Territories, as reflected in its recommendations to the General Assembly (see also chap. XII, draft resolutions V and VI).

92. The text of draft resolution A/AC.109/2008/L.6 adopted by the Special Committee at its 3rd meeting, on 27 May 2008, reads as follows:

## Question of sending visiting and special missions to Territories

*The Special Committee*,

*Having considered* the question of sending visiting missions to Territories,

*Recalling* the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the United Nations by receiving visiting missions in the Territories under their administration,

*Mindful* that United Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

*Conscious* that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of Non-Self-Governing Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514

(XV) of 14 December 1960, in other relevant resolutions of the Assembly and in the plan of action for the Second International Decade for the Eradication of Colonialism,[1]

*Noting with appreciation* the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and that, at the invitation of the Government of New Zealand, two missions to observe the referendums in Tokelau were dispatched, in February 2006 and October 2007,[2]

*Recalling with satisfaction* the cooperation of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, in facilitating the United Nations special mission to the Turks and Caicos Islands in April 2006[3] at the request of the territorial Government,

*Recalling* the importance of the previously expressed desire of the territorial Governments of American Samoa and of Anguilla for a visiting mission by the Special Committee,

1. *Stresses* the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories, in accordance with the relevant resolutions of the United Nations on decolonization and the plan of action of the Second International Decade for the Eradication of Colonialism;[1]

2. *Calls upon* the administering Powers that have not yet done so to cooperate or continue to cooperate with the United Nations by facilitating United Nations visiting missions to the Territories under their administration, in accordance with the relevant resolutions of the United Nations on decolonization;

3. *Requests* the administering Powers to cooperate fully with the Special Committee in exploring the possibility of undertaking visiting or special missions in furtherance of the decolonization mandate of the General Assembly;

4. *Requests* its Chair to continue consultations with the administering Powers concerned and to report thereon to the Special Committee on the results of those consultations.

[1] A/56/61, annex.

[2] See A/AC.109/2006/20 and A/AC.109/2007/19.

[3] See A/AC.109/2007/5.

# Chapter V

## Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories

93. The Special Committee considered the question of economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories at its 8th meeting, on 12 June 2008.

94. In its consideration of the item, the Special Committee took into account the provisions of the relevant resolutions of the General Assembly, including, in particular, resolution 62/113 of 17 December 2007 on economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories and resolution 62/120 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Additionally, the Special Committee took into consideration the relevant documents of other intergovernmental bodies concerned, to which reference is made in the last preambular paragraph of draft resolution A/AC.109/2008/L.12, adopted on 12 June 2008.

95. At the 8th meeting, on 12 June 2008, the Chair drew attention to a draft resolution on the item (A/AC.109/2008/L.12) (see A/AC.109/2008/SR.7).

96. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2008/L.12, without a vote.

97. The text of draft resolution A/AC.109/2008/L.12, adopted by the Special Committee at its 8th meeting, on 12 June 2008, appears in the present report in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution II).

# Chapter VI

## Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

98. The Special Committee considered the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations at its 8th meeting, on 12 June 2008.

99. During its consideration of the item, the Special Committee took into account the provisions of General Assembly resolution 62/114 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, in paragraph 23 of which the Assembly requested the Special Committee to continue to examine the question and to report thereon to the Assembly at its sixty-third session. The Special Committee also took into account all other resolutions adopted by the Assembly on the subject, including resolution 55/146 declaring the period 2001-2010 the Second International Decade for the Eradication of Colonialism, as well as the reports of the Secretary-General on the Second Decade (A/56/61 and A/60/71 and Add.1).

100. The Special Committee also took into account the relevant documents of other intergovernmental bodies concerned, to which reference is made in the fifth preambular paragraph of draft resolution A/AC.109/2008/L.11.

101. At the 8th meeting, on 12 June 2008, the Chairman drew attention to the report of the Secretary-General on the item (A/63/61) and to the information submitted by the specialized agencies and other organizations of the United Nations system on their activities with regard to the implementation of the Declaration (see E/2008/47), as well as to the draft resolution on the item (A/AC.109/2008/L.11).

102. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2008/L.11, without a vote.

103. The text of draft resolution A/AC.109/2008/L.11, adopted by the Special Committee at its 8th meeting, on 12 June 2008, appears in the present report in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution III).

# Chapter VII

## Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

104. The Special Committee considered the question of information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations at its 3rd meeting, on 27 May 2008.

105. During its consideration of the item, the Special Committee took into account the resolutions of the General Assembly concerning information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter and related questions, in particular resolution 1970 (XVIII), by which the Assembly decided, inter alia, to dissolve the Committee on Information from Non-Self-Governing Territories and to transfer certain of its functions to the Special Committee, and resolution 62/112 of 17 December 2007, in paragraph 4 of which the Assembly requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII), in accordance with established procedures. Furthermore, the Special Committee took into account the relevant provisions of Assembly resolution 62/120 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and resolution 55/146 relating to the Second International Decade for the Eradication of Colonialism.

106. At the 3rd meeting, on 27 May 2008, the Chairman drew attention to the report of the Secretary-General on the item (A/63/65), which reflected the dates of transmission of information under Article 73 *e* of the Charter of the United Nations by the administering Powers in regard to Territories under their respective administration, as well as to a draft resolution on the item (A/AC.109/2008/L.4).

107. At the same meeting, the Committee decided to waive the 24-hour rule under rule 120 of the rules of procedure of the General Assembly and to consider draft resolution A/AC.109/2008/L.4 and adopted it, without a vote.

108. The text of draft resolution A/AC.109/2008/L.4 adopted by the Special Committee at its 3rd meeting, on 27 May 2008, appears in the present report in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution I).

# Chapter VIII
# Gibraltar, New Caledonia and Western Sahara

109. In its consideration of the questions of Gibraltar, New Caledonia and Western Sahara, the Special Committee took into account General Assembly resolutions 62/116 and 62/117 of 17 December 2007 and decision 62/523 of the same date, as well as other relevant resolutions and decisions.

## A. Gibraltar

110. The Special Committee considered the question of Gibraltar at its 9th meeting, on 18 June 2008.

111. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2008/8).

112. At the 9th meeting, on 18 June, the representative of Spain made a statement (see A/AC.109/2008/SR.9).

113. At the same meeting, with the consent of the Special Committee, Peter Caruana, Chief Minister of Gibraltar, made a statement (ibid.).

114. Also at the same meeting, in accordance with a decision taken at the 6th meeting, a statement was made by Joseph Bossano, Leader of the Opposition in Gibraltar (ibid.).

115. On the proposal of the Chair, the Special Committee decided to continue consideration of the question at its next session, subject to any directives that the General Assembly might give in that connection at its sixty-third session and in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

## B. New Caledonia

116. The Special Committee considered the question of New Caledonia at its 11th meeting, on 23 June 2008.

117. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2008/9).

118. At the 11th meeting, on 23 June, the Chairman drew the attention of the members of the Committee to the working paper on the item and to the text of a draft resolution contained in document A/AC.109/2008/L.13 (see A/AC.109/2008/SR.11).

119. At the same meeting, the representative of Papua New Guinea, also on behalf of Fiji introduced draft resolution A/AC.109/2008/L.13 (ibid.).

120. Also at the same meeting, the Special Committee adopted draft resolution A/AC.109/2008/L.13, without a vote.

121. The text of draft resolution A/AC.109/2008/L.13 adopted by the Special Committee at its 11th meeting, on 23 June 2008, appears in the present report in the form of the recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution IV).

## C. Western Sahara

122. The Special Committee considered the question of Western Sahara at its 6th meeting, on 11 June 2008.

123. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2008/14).

124. At its 6th meeting, on 11 June 2008, in accordance with a decision taken at the beginning of the meeting, the Special Committee granted a request for hearing to Ahmed Boukhari of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), who made a statement at the same meeting (see A/AC.109/2008/SR.6).

125. At the same meeting, on the proposal of the Chairman, the Special Committee decided, subject to any directives that the General Assembly might give in that connection at its sixty-third session and in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

# Chapter IX

## American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

126. The Special Committee considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands at its 6th meeting, on 11 June 2008.

127. In its consideration of the item, the Special Committee took into account the provisions of General Assembly resolution 62/120 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In paragraph 7 (c) of that resolution, the Assembly requested the Special Committee, inter alia, to continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories. The Special Committee also took into account relevant resolutions and decisions on the Territories adopted by the Assembly.

128. The delegations of the United Kingdom of Great Britain and Northern Ireland and the United States of America, the administering Powers concerned, did not participate in the Special Committee's consideration of the Territories under their administration.

129. The Special Committee considered the 11 Territories at its 6th meeting, on 11 June 2008.

130. During its consideration of the items, the Special Committee had before it the working papers prepared by the Secretariat on the Territories (A/AC.109/2008/2-4, A/AC.109/2008/6-7, A/AC.109/2008/10-12, A/AC.109/2008/15-17).

131. At its 6th meeting, on 11 June, in accordance with a decision taken at the beginning of the meeting, Tressa Diaz made a statement on the question of Guam and Juiliette Chin made a statement on behalf of the United Nations Association of the Virgin Islands on the question of the United States Virgin Islands (see A/AC.109/2008/SR.6).

132. At the same meeting, the Chairman made a statement wherein he introduced a consolidated draft resolution (A/AC.109/2008/L.9) relating to the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands (see A/AC.109/2008/SR.6).

133. At the same meeting also, on the proposal of the Chairman, the Committee waived rule 120 of the rules of procedure of the General Assembly and adopted draft resolution A/AC.109/2008/L.9, without a vote.

134. The text of draft resolution A/AC.109/2008/L.9, adopted by the Special Committee at its 6th meeting, on 11 June 2008, appears in the present report in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution VI).

# Chapter X
## Tokelau

135. The Special Committee considered the question of Tokelau at its 11th meeting, on 23 June 2008.

136. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (see A/AC.109/2008/1).

137. At the 11th meeting, on 23 June, with the consent of the Special Committee, the Ulu-o-Tokelau and the Administrator of Tokelau made statements (see A/AC.109/2008/SR.11).

138. At the same meeting, the representative of Papua New Guinea, also on behalf of Fiji, introduced draft resolution A/AC.109/2008/L.15 (see A/AC.109/2008/SR.11) with an oral revision in operative paragraph 16 by which a word "subsequent" would be inserted before the word "decision".

139. Also at the same meeting, the Special Committee adopted draft resolution A/AC.109/2008/L.15, as orally revised, without a vote.

140. The text of draft resolution A/AC.109/2008/L.15, adopted by the Special Committee at its 11th meeting, as orally revised, on 23 June 2008, appears in the present report in the form of a recommendation of the Special Committee to the General Assembly (see chap. XII, draft resolution V).

# Chapter XI
## Falkland Islands (Malvinas)

141. The Special Committee considered the question of the Falkland Islands (Malvinas) at its 7th meeting, on 12 June 2008.

142. In its consideration of the item, the Special Committee took into account paragraph 4 (b) of the annex to General Assembly resolution 58/316 of 1 July 2004, as well as other relevant resolutions and decisions.

143. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2008/13).

144. At the 7th meeting, the Chairman informed the Special Committee that the delegations of Argentina, Brazil, Paraguay, Peru and Uruguay had requested to participate in the Committee's consideration of the item. The Committee decided to accede to the requests.

145. At the same meeting, in accordance with a decision taken at its 3rd meeting, statements were made by The Honourable Richard Stevens and The Honourable Janet Robertson of the Legislative Council of the Falkland Islands, Evangelina Antonia Areguatí and Guillermo Raimundo Clifton (see A/AC.109/2008/SR.7).

146. At the same meeting, the representative of Chile, also on behalf of Bolivia, Cuba and the Bolivarian Republic of Venezuela, introduced a draft resolution on the item (A/AC.109/2008/L.8).

147. At the same meeting, the Minister for Foreign Affairs, International Trade and Worship of Argentina made a statement (see A/AC.109/2008/SR.7).

148. At the same meeting, statements were made by the representatives of Uruguay (on behalf of MERCOSUR as well as in its national capacity), Cuba, Paraguay, Brazil, Peru, Ecuador, Guatemala, Sierra Leone, China, the Russian Federation, the Bolivarian Republic of Venezuela, the Syrian Arab Republic, Indonesia, Grenada, Bolivia and Tunisia (see A/AC.109/2008/SR.7).

149. At the same meeting, the Special Committee adopted draft resolution A/AC.109/2008/L.8, without a vote.

150. The text of draft resolution A/AC.109/2008/L.8, adopted by the Special Committee at its 7th meeting, on 12 June 2008, reads as follows:

### Question of the Falkland Islands (Malvinas)

*The Special Committee*,

*Having considered* the question of the Falkland Islands (Malvinas),

*Aware* that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

*Recalling* General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of

1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988, Special Committee resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990, A/AC.109/1087 of 14 August 1991, A/AC.109/1132 of 29 July 1992, A/AC.109/1169 of 14 July 1993, A/AC.109/2003 of 12 July 1994, A/AC.109/2033 of 13 July 1995, A/AC.109/2062 of 22 July 1996, A/AC.109/2096 of 16 June 1997, A/AC.109/2122 of 6 July 1998, A/AC.109/1999/23 of 1 July 1999, A/AC.109/2000/23 of 11 July 2000, A/AC.109/2001/25 of 29 June 2001, A/AC.109/2002/25 of 19 June 2002 and A/AC.109/2003/24 of 16 June 2003, the resolution adopted on 18 June 2004, the resolution adopted on 15 June 2005 and the resolution adopted on 15 June 2006 and the resolution adopted on 21 June 2007 and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

*Distressed* that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

*Aware* of the interest of the international community in the resumption by the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

*Expressing* its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

*Considering* that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

*Reaffirming* the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

*Calling attention* to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in the resolutions on the question of the Falkland Islands (Malvinas),

*Reaffirming* the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. *Reiterates* that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland;

2. *Takes note* of the views expressed by the President of the Argentine Republic on the occasion of the sixty-second session of the General Assembly;

3. *Regrets* that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects on the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. *Requests* the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. *Reiterates its firm support* for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. *Decides* to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

# Chapter XII
# Recommendations

151. The Special Committee recommends to the General Assembly the adoption of the following draft resolutions:

## Draft resolution I
## Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

*The General Assembly*,

*Recalling* its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

*Recalling also* its resolution 62/112 of 17 December 2007, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

*Stressing* the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

*Having examined* the report of the Secretary-General,[1]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned, in accordance with their Charter obligations, to transmit or continue to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social and educational conditions in the Territories for which they are respectively responsible, as well as the fullest possible information on political and constitutional developments in the Territories concerned, including the constitution, legislative act or executive order providing for the government of the Territory and the constitutional relationship of the Territory to the administering Power, within a maximum period of six months following the expiration of the administrative year in those Territories;

[1] A/63/65.

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures.

## Draft resolution II
## Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

*The General Assembly*,

*Having considered* the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[2]

*Recalling* General Assembly resolution 1514 (XV) of 14 December 1960, as well as all other relevant resolutions of the Assembly, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

*Reaffirming* the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

*Reaffirming also* that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

*Reaffirming further* that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

*Aware* of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

*Conscious* of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

*Conscious also* that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in

[2] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. V.

accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

*Concerned* about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

*Bearing in mind* the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Reaffirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Calls upon* the administering Powers to ensure that the exploitation of the marine and other natural resources in the Non-Self-Governing Territories under their administration is not in violation of the relevant resolutions of the United Nations, and does not adversely affect the interests of the peoples of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected

and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV);

12. *Appeals* to trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories, and also appeals to the media to disseminate information about the developments in this regard;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its sixty-fourth session.

## Draft resolution III
## Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

*The General Assembly*,

*Having considered* the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

*Having also considered* the report of the Secretary-General[3] and the report of the Economic and Social Council[4] on the item,

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[5]

*Recalling* its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2007/25 of 26 July 2007,

*Bearing in mind* the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

*Conscious* of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

*Noting* that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

*Welcoming* the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

*Also welcoming* the participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

*Noting* that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

*Stressing* that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

*Stressing also* the importance of securing the necessary resources for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

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[3] A/63/61.

[4] E/2008/47.

[5] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VI.

*Reaffirming* the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

*Expressing its appreciation* to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

*Expressing its conviction* that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

*Mindful* of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations resolutions and decisions relating to decolonization,

*Bearing in mind* the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

*Recalling* its resolution 62/114 of 17 December 2007 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[3]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system in which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;

4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other

organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) Illegal exploitation of the marine and other natural resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean of its resolution 574 (XXVII) of 16 May 1998,[6] calling for the necessary mechanisms for its associate members, including Non-Self-Governing Territories, to participate in the special sessions of the General Assembly, subject to the rules of procedure of the Assembly, to review and assess the implementation of the plans of action of those United Nations world conferences in which the

[6] *See Official Records of the Economic and Social Council, 1998, Supplement No. 21* (E/1998/41), chap. III.G.

Territories originally participated in the capacity of observer, and in the work of the Economic and Social Council and its subsidiary bodies;

13. *Requests* the Chairperson of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to maintain close contact on these matters with the President of the Economic and Social Council;

14. *Welcomes* the publication by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories, and requests that it be disseminated widely;

15. *Welcomes also* the continuing efforts made by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies, inter alia, with the assistance of the relevant specialized agencies;

17. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

18. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

19. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

20. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

21. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

22. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

23. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its sixty-fourth session.

## Draft resolution IV
## Question of New Caledonia

*The General Assembly*,

*Having considered* the question of New Caledonia,

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[7]

*Reaffirming* the right of peoples to self-determination as enshrined in the Charter of the United Nations,

*Recalling* General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

*Noting* the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

*Noting also*, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

*Noting with satisfaction* the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[8]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization

[7] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VIII.

[8] A/AC.109/2114, annex.

of New Caledonia, and welcomes, in this context, efforts under way towards devising common identity symbols, such as name, flag, anthem, motto and banknotes, as required by the Nouméa Accord;

4. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

5. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

6. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

7. *Notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

8. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

9. *Notes* the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund in such areas as economic and trade cooperation, the environment, climate change and financial services;

10. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

11. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

12. *Recalls with satisfaction* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

13. *Welcomes* all measures taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

14. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

15. *Notes* the financial assistance rendered by the Government of France to the Territory in areas such as health, education, payment of public-service salaries and funding development schemes;

16. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

17. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, including the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

18. *Welcomes* the cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003 and June 2006;

19. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

20. *Welcomes*, in this regard, the participation of New Caledonia in the Pacific Islands Forum, following its accession to the Forum as associate member in October 2006, at the 37th Summit of the Forum;

21. *Also welcomes* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

22. *Further welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

23. *Recalls* the endorsement of the report of the Forum Ministerial Committee on New Caledonia by leaders of the Pacific Islands Forum at its 36th Summit, in Papua New Guinea in October 2005, and the continuing role of the Forum Ministerial Committee in monitoring developments in the Territory and encouraging closer regional engagements;

24. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

25. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-fourth session.

## Draft resolution V
## Question of Tokelau

*The General Assembly*,

*Having considered* the question of Tokelau,

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[9]

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 62/121 of 17 December 2007,

*Noting with appreciation* the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

*Also noting with appreciation* the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

*Recalling* the inauguration in 1996 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

*Noting* that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

*Recalling* that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

*Bearing in mind* the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association and its decision in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand,

1. *Notes* that Tokelau and New Zealand remain firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements;

2. *Notes also* the ongoing recognition by New Zealand of the complete right of the people of Tokelau to undertake the act of self-determination when this is considered by the people of Tokelau to be appropriate;

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[9] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. X.

3. *Welcomes* the substantial progress made towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

4. *Recalls* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions subsequently held between Tokelau and New Zealand pursuant to the General Fono decision;

5. *Recalls also* the decision of the General Fono in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand, and notes the enactment by the General Fono of rules for the referendum;

6. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2007-2010;

7. *Also acknowledges* the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, as well as the support and cooperation of the United Nations Development Programme;

8. *Further acknowledges* Tokelau's need for continued support from the international community;

9. *Recalls with satisfaction* the establishment and operation of the Tokelau International Trust Fund to support the future development needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

10. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

11. *Also welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, and their support for its economic and political aspirations and its increasing participation in regional and international affairs;

12. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

13. *Welcomes* the actions taken by the administering Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

14. *Notes* with appreciation the considerable progress made in the negotiation of a draft constitution by New Zealand and Tokelau, as well as the decisions on proposed national symbols by Tokelau, and the steps taken by Tokelau and New Zealand to agree to a draft treaty of free association as a basis for an act of self-determination;

15. *Also notes* that a referendum to determine the future status of Tokelau held in February 2006 failed to produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status from that of a Non-Self-Governing Territory under the administration of New Zealand;

16. *Further notes* the subsequent decision of the General Fono to conduct a further referendum to determine the future status of Tokelau from 20 to 24 October 2007;

17. *Commends* the professional and transparent conduct of both the February 2006 and the October 2007 referendums, monitored by the United Nations;

18. *Notes* that the October 2007 referendum also did not produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status from that of a Non-Self-Governing Territory under the administration of New Zealand to the status of self-governing in free association with New Zealand;

19. *Acknowledges* the decision of the General Fono of Tokelau that consideration of any future act of self-determination by Tokelau will be deferred and that New Zealand and Tokelau will devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau are enhanced and strengthened, thereby ensuring an enhanced quality of life for the people of Tokelau;

20. *Welcomes* the commitment of both Tokelau and New Zealand to continue to work together in the interests of Tokelau and its people, taking into account the principle of the right to self-determination;

21. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-fourth session.

## Draft resolution VI
## Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

### A
### General

*The General Assembly*,

*Having considered* the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

*Having examined* the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[10]

*Recalling* all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-first session on the individual Territories covered by the present resolution,

*Recognizing* that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

*Recalling* its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

*Expressing concern* that more than forty-seven years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[11] there still remain a number of Non-Self-Governing Territories,

*Conscious* of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[12]

*Recognizing* that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

*Noting* the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland, and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

*Noting also* the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and in its regional seminars,

*Noting further* the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

*Aware* of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

*Convinced* that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that

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[10] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. IX.

[11] Resolution 1514 (XV).

[12] A/56/61, annex.

referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

*Convinced also* that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

*Noting* that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through orders in council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

*Aware* of the importance of the international financial services sector for the economies of some of the Non-Self-Governing Territories,

*Noting* the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

*Mindful* that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

*Mindful also* that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

*Recognizing* the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options of self-determination,

*Mindful*, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

*Mindful also* that the 2008 Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May,

*Conscious* of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the

applicability to the Territories of the programmes of action of all United Nations world conferences[13] and special sessions of the General Assembly in the economic and social sphere,

*Noting with appreciation* the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

*Aware* that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[14] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

*Recalling* the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

*Recognizing* that the annual background working papers prepared by the Secretariat on developments in each of the small Territories,[15] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolution,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization, and where there is no dispute over sovereignty, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

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[13] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum); *Report of the World Conference on Natural Disaster Reduction, Yokohama, Japan, 23-27 May 1994* (A/CONF.172/9), chap. I; *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I; *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex; *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II; and *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[14] See resolution 2200 A (XXI), annex.

[15] A/AC.109/2008/2-4, 6, 7, 10 and Corr.1, 11, 12 and 15-17.

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Requests* the administering Powers to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with the prevailing rules of procedure of the agencies concerned;

8. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

9. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[12] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

10. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration, and in order to advise the Special Committee on the implementation of provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the

Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the constitutional reviews in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* that the Secretary-General report to the General Assembly at its sixty-fourth session on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights,[14] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. *Requests* the Special Committee to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-fourth session and on the implementation of the present resolution.

## B
## Individual Territories

*The General Assembly*,

*Referring* to resolution A above,

### I. American Samoa

*Taking note* of the working paper prepared by the Secretariat on American Samoa[16] and other relevant information,

*Aware* that under United States law the Secretary of the Interior has administrative jurisdiction over American Samoa,[17]

*Noting* the position of the administering Power and the statements made by representatives of American Samoa in regional seminars expressing satisfaction with the Territory's present relationship with the United States of America,

[16] A/AC.109/2008/3.

[17] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

*Aware* of the work of the Future Political Status Study Commission, completed in 2006, and the release of its report, with recommendations, in January 2007, to help the Territory study alternative forms of future political status open to American Samoa and to assess the advantages and disadvantages of each,

*Noting*, in that regard, the information contained in the paper provided by the Chairman of the 2006 American Samoa Future Political Status Study Commission and distributed at the 2008 Pacific regional seminar requesting the Special Committee to review the Territory's status as a Non-Self-Governing Territory, with a view to accepting the Territory's future political status once chosen by its people,

*Aware* that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government, and calling upon the administering Power to assist the territorial Government in the diversification of its economy,

1. *Welcomes* the work of the territorial Government and legislature with regard to the recommendations made by the Future Political Status Study Commission of the Territory in preparation for a constitutional convention addressing issues related to the future status of American Samoa;

2. *Stresses* the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

## II. Anguilla

*Taking note* of the working paper prepared by the Secretariat on Anguilla[18] and other relevant information,

*Recalling* the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

*Taking note* of the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, and the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, as well as of the territorial Government's recent decision to revisit the recommendations of the Commission, in order to move the process forward, with the aim of seeking full internal self-government;

*Aware* that the Government intends to continue its commitment to high-end tourism and the implementation of various regulations in the financial services sector,

[18] A/AC.109/2008/7.

*Noting* the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

1. *Welcomes* the work of the Constitutional and Electoral Reform Commission and its report of 2006, the holding of public and other consultative meetings in 2007, with the aim of making recommendations to the administering Power on proposed changes to the Constitution of the Territory and the subsequent efforts of the territorial Government to advance the internal constitutional review exercise;

2. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

## III. Bermuda

*Taking note* of the working paper prepared by the Secretariat on Bermuda[19] and other relevant information,

*Conscious* of the different viewpoints of the political parties on the future status of the Territory, and noting a recent survey by local media on the matter,

*Recalling* the dispatch of the United Nations special mission to Bermuda in 2005 at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and regrets that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

## IV. British Virgin Islands

*Taking note* of the working paper prepared by the Secretariat on the British Virgin Islands[20] and other relevant information,

[19] A/AC.109/2008/10 and Corr.1.

[20] A/AC.109/2008/2.

*Recalling* the 1993 report of the Constitutional Commissioners, the 1996 debate on the report in the Legislative Council of the Territory, the establishment of the Constitutional Review Commission in 2004, the completion in 2005 of its report providing recommendations on internal constitutional modernization and the debate held in 2005 on the report in the Legislative Council, as well as the negotiations between the administering Power and the territorial Government, which resulted in the adoption of the new Constitution of the Territory in 2007,

*Noting* that the 2007 Constitution of the British Virgin Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

*Noting also* the statement made by an expert from the Territory at the 2008 Pacific regional seminar, who presented an analysis of the recently concluded constitutional review process,

*Noting further* that the Territory continues to emerge as a leading offshore financial centre, with unprecedented growth in its financial and tourism services sectors,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the new Constitution of the British Virgin Islands, which took effect in June 2007, and notes the need expressed by the territorial Government for minor constitutional amendments in the years to come;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the Territory to focus its economic base more on local ownership and on professional service industries other than financial services;

4. *Appreciates* the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the British Virgin Islands and the United States Virgin Islands to advance cooperation between the two neighbouring Territories;

## V. Cayman Islands

*Taking note* of the working paper prepared by the Secretariat on the Cayman Islands[21] and other relevant information,

*Aware* of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering Power and the subsequent discussions between the Territory and the administering Power in 2003, the reopened discussions between the administering Power and the territorial Government in 2006 on internal constitutional modernization, with the aim of ascertaining the views of the people by way of referendum,

[21] A/AC.109/2008/11.

*Noting with interest* the establishment of the Cayman Islands Constitutional Review Secretariat, which began its work in March 2007 in support of the Territory's constitution modernization initiative, which comprises four phases with regard to constitutional reform, including research and publicity, consultation and public education, a referendum on reform proposals, and negotiations between the administering Power and the territorial Government,

*Acknowledging* the indication by the territorial Government that certain cost-of-living issues, such as inflation, continue to be a cause for concern,

1. *Welcomes* the publication by the territorial Government of a consultation paper in January 2008 setting out a number of proposals for constitutional reform, with a view to holding a referendum on those proposals, or revised proposals, later in the year;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the territorial Government to address cost-of-living issues in various economic sectors;

## VI. Guam

*Taking note* of the working paper prepared by the Secretariat on Guam[22] and other relevant information,

*Aware* that under United States law the relations between the territorial Government and the federal Government in all matters not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[23]

*Recalling* that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

*Recalling also* the previously expressed requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

*Aware* that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

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[22] A/AC.109/2008/15.

[23] United States Congress, Organic Act of Guam, 1950, as amended.

*Cognizant* that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

*Noting* that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

*Aware* of deep concerns expressed by civil society and others, including at the 2008 Pacific regional seminar, regarding the potential social and other impacts of the impending transfer of additional military personnel of the administering Power to the Territory,

*Aware also* of the austerity and fiscal measures undertaken by the territorial Government since 2007, when the Governor declared a financial "state of emergency",

*Conscious* that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, and encourages the administering Power and the territorial Government to enter into negotiations on the matter;

2. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all necessary measures to address the concerns of the territorial Government with regard to the question of immigration;

3. *Also requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

4. *Recalls* the previously made request by the elected Governor to the administering Power to lift restrictions to allow for foreign airlines to transport passengers between Guam and the United States of America to provide for a more competitive market and increased visitor arrivals;

5. *Requests* the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

## VII. Montserrat

*Taking note* of the working paper prepared by the Secretariat on Montserrat[24] and other relevant information,

*Recalling* the 2002 report of the Constitutional Review Commission, the convening of a committee of the House of Assembly in 2005 to review the report

[24] A/AC.109/2008/16.

and the subsequent discussions between the administering Power and the territorial Government on internal constitutional advancement and devolution of power,

*Noting* that the negotiating process with the administering Power on a draft constitution, expected to be finalized in the first quarter of 2007, is in progress and that talks, postponed at the request of the territorial Government since more time was needed, are expected to resume in the course of 2008,

*Aware* that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

*Recalling* the statements made by participants at the 2007 Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

*Noting with concern* the continued consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

*Acknowledging* the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

*Noting* the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. *Welcomes* the efforts of the territorial Government to continue to negotiate improvements to the Constitution of the Territory so as to preserve its ability to move towards greater self-determination at a later stage;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

## VIII. Pitcairn

*Taking note* of the working paper prepared by the Secretariat on Pitcairn[25] and other relevant information,

*Taking into account* the unique character of Pitcairn in terms of population and area,

*Noting* that the internal review of the Constitution of the Territory is still deferred,

*Aware* that the administering Power and the territorial Government are in the process of restructuring the relationship between the Governor's Office and the

[25] A/AC.109/2008/4.

territorial Government, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

1. *Welcomes* all efforts by the administering Power that would devolve operational responsibilities to the territorial Government, with a view to expanding self-government;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support economic security in Pitcairn;

## IX. Saint Helena

*Taking note* of the working paper prepared by the Secretariat on Saint Helena[26] and other relevant information,

*Taking into account* the unique character of Saint Helena in terms of its population, geography and natural resources,

*Noting* the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution as a basis for discussion and the efforts of the territorial Government to keep the constitutional review exercise high on its agenda, including through public meetings,

*Noting in that regard* the importance of the right to nationality for Saint Helenians and their previously expressed request that the right, in principle, be included in a new constitution,

*Aware* that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

*Aware also* of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

*Noting* the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

*Noting also* the importance of improving the infrastructure and accessibility of Saint Helena,

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[26] A/AC.109/2008/6.

1. *Welcomes* the Territory's continuing constitutional review process, including the related public meetings, and calls upon the administering Power to take into account the previously expressed concerns of Saint Helenians with regard to the right to nationality;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests also* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. *Welcomes* the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena, which is to become operational in 2011-2012, including all required infrastructure;

## X. Turks and Caicos Islands

*Taking note* of the working paper prepared by the Secretariat on the Turks and Caicos Islands[27] and other relevant information,

*Recalling* the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

*Recalling also* the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

*Noting* that the 2006 Constitution of the Turks and Caicos Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

*Acknowledging* the significant and steady period of economic expansion fuelled by the continuing growth of high-end tourism and related real estate development,

1. *Recalls* the Constitution of the Territory, which took effect in 2006, and notes the view of the territorial Government that there remains scope for a degree of delegation of the Governor's power to the Territory so as to secure greater autonomy;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also welcomes* the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of social cohesion across the Territory;

[27] A/AC.109/2008/12.

### XI. United States Virgin Islands

*Taking note* of the working paper prepared by the Secretariat on the United States Virgin Islands[28] and other relevant information,

*Aware* that under United States law the relations between the territorial Government and the federal Government in all matters not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[29]

*Aware also* of the ongoing Constitutional Convention, the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as the various related efforts in implementing a public education programme on the Constitution, as outlined in a statement by a participant from the Territory presented to the 2008 Pacific regional seminar,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the establishment of the Constitutional Convention in 2007, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the ongoing internal Constitutional Convention exercise;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Appreciates* the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the United States Virgin Islands and the British Virgin Islands to advance cooperation between the two neighbouring Territories.

## Draft resolution VII
## Dissemination of information on decolonization

*The General Assembly*,

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[30]

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[28] A/AC.109/2008/17.

[29] United States Congress, Revised Organic Act, 1954.

[30] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. III.

*Recalling* General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 62/119 of 17 December 2007,

*Recognizing* the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[31]

*Reiterating* the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

*Recognizing* the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

*Recognizing also* the role of the Department of Public Information of the Secretariat, through the United Nations information centres, in the dissemination of information at the regional level on the activities of the United Nations,

*Welcoming* the issuance by the Department, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories,

*Aware* of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization, in particular the preparation, in accordance with General Assembly resolution 61/129, of the information leaflet entitled "What the UN Can Do to Assist Non-Self-Governing Territories", issued in March 2007, and encourages wide dissemination of the information leaflet;

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories, and to this end, requests the Department of Public Information to empower the United Nations information centres in the relevant regions to disseminate material to the Non-Self-Governing Territories;

3. *Requests* the Secretary-General to further enhance the information provided on the United Nations decolonization website by including the full series of reports of the regional seminars on decolonization, the statements and scholarly papers presented at those seminars and links to the full series of reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

[31] A/56/61, annex.

4. *Requests* the Department of Public Information to continue its efforts to update web-based information on the assistance programmes available to the Non-Self-Governing Territories;

5. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(a) To develop procedures to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of the Non-Self-Governing Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To explore the idea of a programme of collaboration with the decolonization focal points of territorial Governments, particularly in the Pacific and Caribbean regions, to help improve the exchange of information;

(d) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To encourage the involvement of Non-Self-Governing Territories in the dissemination of information on decolonization;

(f) To report to the Special Committee on measures taken in the implementation of the present resolution;

6. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

7. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

## Draft resolution VIII
## Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

*The General Assembly*,

*Having examined* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[32]

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 62/120 of 17 December 2007, as well as the relevant resolutions of the Security Council,

[32] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23).

*Bearing in mind* its resolution 55/146 of 8 December 2000, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

*Recognizing* that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

*Reconfirming* the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146,

*Reiterating its conviction* of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

*Noting with satisfaction* the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

*Stressing* the importance of the formal participation of the administering Powers in the work of the Special Committee,

*Noting with interest* the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

*Taking note* that the Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May 2008,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[33]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

[33] Resolution 217 A (III).

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

7. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-fourth session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[34]

8. *Recognizes* that the plan of action for the Second International Decade for the Eradication of Colonialism[35] represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance as needed to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to

[34] See resolution 54/91.

[35] A/56/61, annex.

Colonial Countries and Peoples covering its work during 2008,[32] including the programme of work envisaged for 2009;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

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